

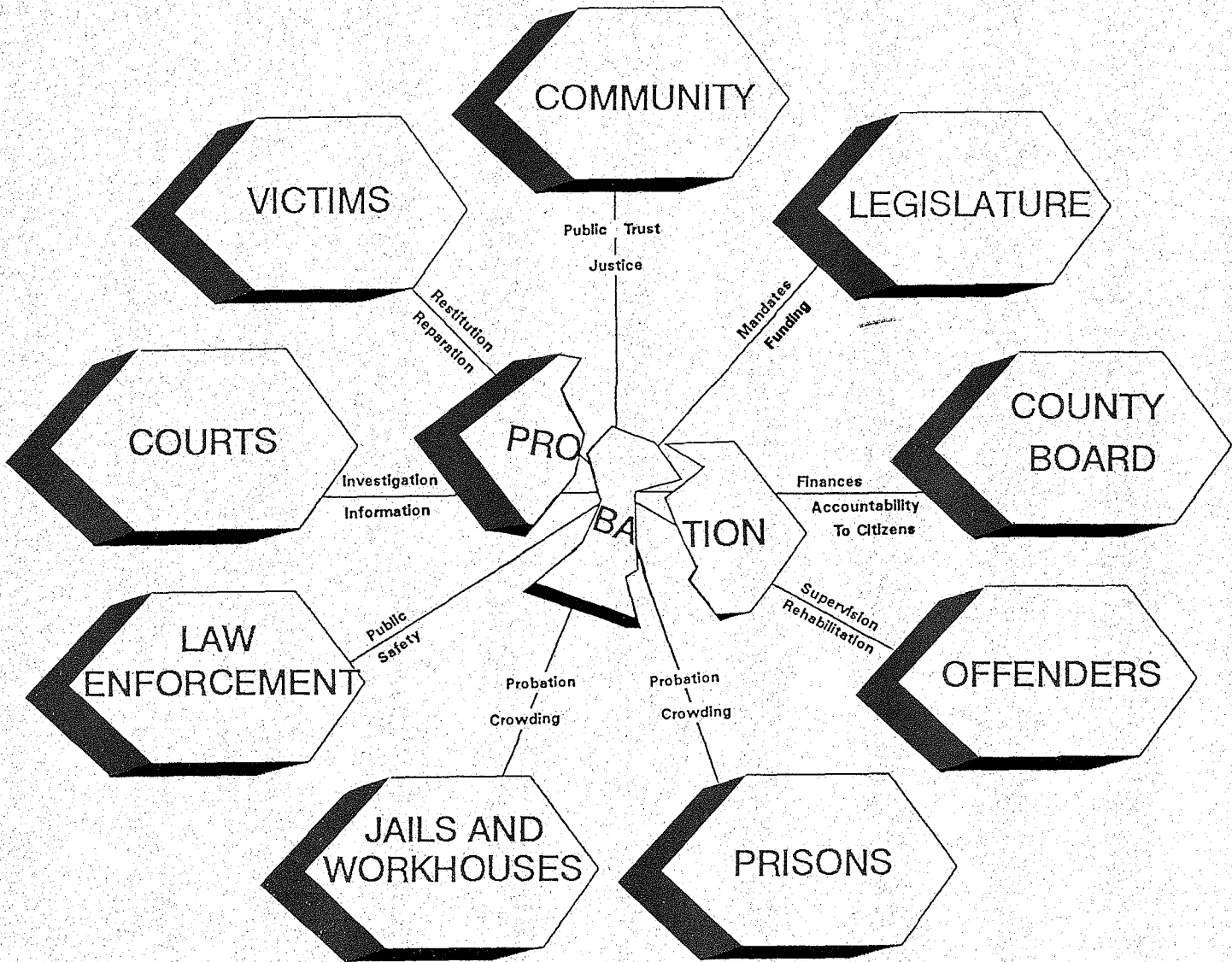
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ESOTA PROBATION: A SYSTEM IN CRISIS



An overloaded, neglected probation system has a profoundly negative effect on the criminal justice system and on public safety.

The Probation Standards Task Force was appointed by Commissioner of Corrections Orville Pung in accordance with the Omnibus Crime Bill passed by the 1992 Minnesota Legislature. The Task Force members are:

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The Task Force gratefully acknowledges the substantial contributions of Joan Minczeski, Management Analyst Supervisor, Ramsey County Community Corrections, in the writing and preparation of this report.

Additional staff assistance was generously provided by Dianne Aisenbrey, Dakota County Community Corrections, and Kitty Murdock, Hennepin County Bureau of Community Corrections.

WHAT'S WRONG WITH THIS PICTURE?

Minnesota correctional programs ... "are exemplary, innovative and cost effective."

Financial World, 1991
after recognizing Minnesota as its
national award winner for corrections.

"There are some bad actors on probation in Minnesota who receive little or no supervision . . . To allow the current system to continue perpetuates a fraud upon the public in terms of providing justice and public safety."

Minnesota Drug Strategy, January, 1991
Office of Drug Policy
Minnesota Department of Public Safety

Something is very wrong when Minnesota's correctional system is seen as a national model of excellence but many corrections professionals think it's falling apart; extended far beyond its capacity for meaningful, responsible service.

Probation officers are the link to the community:

- For citizens, to supervise offenders in neighborhoods.
- For victims, to promote restitution for harm done.
- For the community, to facilitate work service which helps heal a trust broken.
- For the Courts, for information about offenders which allows just and humane sentencing.

Probation officers with too little time and too many offenders to supervise become a fraud when:

- The promise to the community to supervise offenders and make neighborhoods safer is unfulfilled.
- The effort to form effective relationships with offenders is ineffective.
- The commitment to victims to restore the harm done is broken.

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MINNESOTA PROBATION: A SYSTEM IN CRISIS

Introduction

During the 1992 legislative session, the Senate Judiciary Committee heard testimony from numerous corrections professionals who expressed frustration with the lack of resources to address public safety concerns adequately within probation field services, as well as the lack of uniform information about the type and volume of probation services delivered throughout the state. Consequently, the Legislature created the *Probation Standards Task Force* and directed it to prepare a report to be delivered to the Commissioner of Corrections for the 1993 legislative session. The *Task Force* appreciates the Legislature's foresight in creating this opportunity.

This report, which applies to both juveniles and adults under community supervision, synthesizes a number of relevant reports and written information, testimony received from corrections professionals throughout the state, and intense discussion and debate among task force members over these issues.

It is clear from our discussions, the testimony we received and the data collected that probation "capacity" in many counties has been exceeded far beyond meaningful supervision. Policymakers must rectify current delivery system defects and provide adequate funding to enhance public safety and offender accountability if Minnesota is to remain a leader in the arena of corrections.

Organization of the Report

This report contains three major parts. The first section is a summary of the major findings gleaned from public testimony, reports referred to in the bibliography, and *Task Force* discussion.

The second section presents the recommendations for each of the legislative directives to the *Task Force*. A discussion providing background information and rationale follows the recommendations for each directive.

The last section is the Appendix. It contains a summary of data used from the *Court Resource Management Plan*¹, the *Ranum Study*, and summaries of public testimony heard by the *Task Force*. There are also selected summary examples from a current adult and juvenile caseload in Ramsey County to provide an overview of a typical caseload supervised in Minnesota communities and a brief explanation of the three systems for providing correctional services in this state.

¹The 1991 State Legislature mandated the completion of criminal justice resource management plans by all judicial districts. The Conference of Chief Judges, made up of representatives of each judicial district, is coordinating the completion of these plans. In an effort to provide consistent data for analysis, all 87 counties were asked to complete a comprehensive survey about corrections programs and clients. The *Task Force* used data obtained from this survey for this report.

MINNESOTA PROBATION: A SYSTEM IN CRISIS

Executive Summary

There are an estimated 80,000 offenders currently under court-ordered supervision in Minnesota communities² -- and far too few probation officers to provide adequate supervision and services. Caseloads across the state range from 55 to 400 clients per probation officer; group supervision caseloads have ratios of up to one agent per 1,200 offenders! While caseloads have more than doubled in the past nine years, there has been no accompanying increase in probation staff or resources. An estimated 12% of these offenders are serious public risk cases. They are more violent and dangerous than ever before. Drugs, gang activity and the growing tendency to use weapons contribute to the serious impact of these numbers.

**UNDERFUNDED
AND
OVERBURDENED
EQUAL
INEFFECTIVE**

The public, courts, victims and policymakers expect that offenders under supervision are getting the necessary level of attention, but, in reality, that is impossible with current resources.

This Task Force heard compelling testimony from probation officers, victims, and other criminal justice professionals that reflected an overwhelming level of anger, fear for our communities, and frustration at what they consider eroding levels of effective probation services across the state. They describe the feeling of "warehousing offenders on the street."

There is a high level of concern among probation officers for personal and public safety as more violent and dangerous offenders are added to high caseloads. There is also a growing anxiety related to liability issues primarily for failure to supervise appropriately.

It is widely believed by probation officers and their administrators (especially in Community Corrections Act counties) that probation services in many areas are so underfunded and overburdened that they are becoming ineffective. It is their belief that:

- Safety is being compromised;
- Expectations of probation are unrealistic;
- Victims are not receiving justice;
- The level of service to the courts is eroding; and
- Offenders, who could change criminal behavior patterns with probation officer intervention and programming opportunities, are not being afforded the opportunity.

² *Court Resource Management Plan Survey* data collected from all Minnesota counties in 1992 showed that 90,445 cases were being supervised throughout the state. The actual number of offenders had to be estimated because of a lack of standardized reporting methods. Individual offenders can have multiple cases. Some counties report cases and others report individuals on supervision.

**CONTRIBUTING
FACTORS TO
PROBATION
CROWDING
CRISIS**

Elected officials, the court and other criminal justice professionals have responded to the public's demand for a tougher stance on crime with increased penalties, new crime categories, mandatory jail time, longer periods of supervision and multiple conditions of probation, etc. Thousands of offenders have been added to supervision caseloads statewide as a result of changes in the way we deal with DWI, domestic abuse, and drug cases. Additionally, session after session, the legislature has added more mandated requirements to probation staff in the areas of pre-sentence investigations and supervision responsibilities. Policy decisions and legislative solutions to one criminal justice problem have unintentionally compounded serious problems within the probation system.

Few corrections professionals would deny that the new requirements represent good correctional policy. But without increased resources, it is not possible to indefinitely add new responsibilities to *so many more* cases and still provide meaningful supervision.

**STATE SYSTEM
SUCCESS
STRESSES
LOCAL
PROBATION
SERVICES**

Minnesota's correctional system is recognized nationally as one of the most effective, progressive, and well-run in the country. Sound correctional policies, planning, legislation including the *Minnesota Sentencing Guidelines* (1980) and the *Community Corrections Act* (1973), and a strong partnership between the state and local corrections agencies have been major factors contributing to our acknowledged success.

Unlike forty-one other states, Minnesota is not experiencing federal court order or consent decrees to limit prison populations due to chronic crowding and the personal violence and property destruction associated with it. The state has avoided the high cost of litigation and massive prison construction projects by relying on local community-based correctional services for the vast majority of offenders.

**MOST OFFENDERS
IN MINNESOTA
DO NOT GO TO
PRISON**

In Minnesota, all misdemeanor and gross misdemeanor offenders and over 80% of all felons are sanctioned at the local level in jails and on probation officer caseloads. Comparatively few go to prison (2,230 new commits in 1992³). The majority of those that are committed to prison are released to local corrections agencies for supervision after serving their time. To put this in perspective, in June of 1992, there were 3,647 adult inmates in Minnesota prisons compared to an estimated 80,000 offenders under court-ordered supervision in the community.

³ Minnesota Department of Corrections, *1992 New Commitments By County and Months to Serve*.

**COUNTIES ARE
PAYING A
DISPROPORTIONATE
SHARE OF THE
INCREASE IN
CORRECTIONAL
EXPENDITURES**

The partnership between the state and many local corrections agencies is becoming a competition for resources. Legitimate concern has been focused on prison crowding and maintaining appropriate capacity. As a result, funding has consistently increased for state institutions, and, to a lesser extent, for the Department of Corrections field operations. However, financial support to local corrections agencies, especially in Community Corrections areas, has not kept pace with increases in offender growth and the overwhelming mandated responsibilities.

In fact, in Community Corrections areas, State funding of CCA costs have *decreased* from 37% of the total in 1979 to 20% in 1991, thus increasing the burden on local property taxes.

**LEGISLATIVE
DIRECTIVES**

The Task Force found it impossible to provide complete and totally accurate responses to the questions asked by the legislature with regard to minimum caseload goals and the exact number of probation officers needed statewide for the following reasons:

- There is no central source in the state for information on offenders and probation resources;
- There are no standardized case definitions or standardized reporting procedures so that the number and types of cases can be reported uniformly statewide;
- Not all probation agencies have classification systems to assess workload for statewide comparisons;
- Jurisdictions, responding to the crowding crisis, are making difficult decisions about which offenders will get what kind of services. There are many different options being explored. For example, some areas supervise offenders in large groups; others keep assigning offenders to caseloads without regard to classification.
- Some areas are doing the same things but calling the management strategy by a different name so that comparisons between jurisdictions are difficult.

Within the timeframe available, it was not possible to complete such a task. It is recommended that a new Probation Task Force be established to specifically address these correction system issues so that meaningful statewide comparisons can be made.

**INTERIM
RELIEF OF
PROBATION
CROWDING**

The Task Force concluded that there is an overwhelming need for more probation officers and an urgency to define and limit the capacity of probation supervision if supervision and services are to be meaningful. A strong recommendation is made that funding for interim relief of probation crowding be allocated this biennium. The nine and one-half million dollars in the Governor's proposed budget for Community Corrections Act counties should be provided to CCA areas without the requirement that they compound their existing problems by assuming responsibility for certain short term prison commitments. Additionally, the requests for probation staff made by the DOC should be granted and special funding be made available to County Probation Officer counties (CPO) for similar relief.

**DIFFICULT
CHOICES**

Minnesota policy makers are at a crossroads. We cannot stay the course, allowing further restrictive policies and limited service to continue.

The choices are:

- . Allow major service cutbacks to certain categories of offenders in order to maintain minimum standards of probation services for more serious cases; or
- . Add resources to probation in order to regain the quality of services and level of safety which have diminished in the past decade.

**SUMMARY
OF
RECOMMENDATIONS**

1. Establish a *Probation Task Force* to
 - a. Develop a funding request to the 1995 Legislature to include
 - . . The number of additional probation officers needed statewide;
 - . . The cost of these additional staff;
 - . . A recommended method of funding; and
 - . . Recommendations about the role of county versus state obligation to finance the costs.
 - b. Examine existing client information systems and develop standardized case definitions and reporting procedures so that the number and types of cases and offenders can be reported uniformly statewide.
 - c. Develop a framework for objectively defining case classification categories to facilitate statewide reporting.

2. Provide immediate funding this legislative session to allow interim relief until the *Probation Task Force* completes its work:
 - a. Appropriate the \$9.5 million currently in the Governor's budget for increasing Community Corrections Act funding without ties to shifting certain short-term prison commits to the counties;
 - b. Fund DOC's request for additional probation staff; and
 - c. Appropriate additional funding for County Probation Officer counties to reduce high caseloads.
3. Revise the annual *Probation Survey Report* to be compatible with recommendations of the *Probation Task Force*;
4. Develop case classification systems in each area that reflect local needs, values, and resources and are based on factors including type of offense, past pattern of criminal activity, risk behaviors, and need for services.
5. Provide funds through existing funding streams for field service agencies to develop and operate additional or enhanced innovative programs aimed at improving supervision of adult and juvenile violent and high risk offenders.
6. Examine all legislative probation mandates for possible elimination if they cannot be funded.
7. Consider reducing or eliminating services to less serious offenders if resources are not increased.
8. Provide funds to encourage creative ways to increase productivity through the use of technology.
9. Require and fund uniform education and training in the areas of victimology and victim services for all criminal justice agencies.
10. Encourage the *Minnesota Office of Volunteer Services* to provide technical expertise to counties to develop and expand volunteer participation in local corrections agencies.
11. Support efforts to improve the BCA criminal history information system.

MAJOR FINDINGS

1. Minnesota corrections has a national reputation for leadership, quality services and creativity

LEADERSHIP, QUALITY SERVICES AND CREATIVITY

Minnesota is often cited by other states as leading the way in effective correctional practices. Examples of these practices include *Sentencing Guidelines*, the *Community Corrections Act*, safe and humane institutions, and effective community based correctional programs. In 1991, for example, *Financial World* magazine recognized Minnesota corrections with a national award and described our programs as "exemplary, innovative and cost effective." As the nation has struggled with crime and prison crowding pressures, Minnesota has been able to stay ahead by comparison.

Some of the reasons Minnesota corrections has been successful include:

• Humane Institutions

REASONS FOR MINNESOTA'S SUCCESS IN THE CORRECTIONS ARENA

Minnesota is well known for operating humane correctional institutions at the state and county levels. Many states are filling new prisons as fast as they can be built. The experience and practice in Minnesota has been to avoid unnecessary use of prisons because of their expense and, to a lesser extent, because research has indicated that prison confinement has no long term impact on increasing public safety. Most Minnesota correctional institutions offer a variety of services to offenders such as mental health programs, education and vocational services, religious opportunities, and work release programs. The prisons and jails have relatively low levels of violence which make them more secure for the protection of staff, inmates, and the public. Minnesota is *not* among the 41 states with prisons that are unconstitutionally overcrowded and facing federal orders mandating expensive improvements or release of prisoners. The state has not had to bear the high costs of staff and inmate injuries, replace entire facilities, or pay high legal expenses because of riots. Minnesota's lack of prison and jail violence is due, in large part, to good management, to humane treatment of inmates, and to the availability of programs offered to inmates.

• Low Per Capita Violence Rate

Minnesota has consistently had a lower violent crime rate than two-thirds of the country. In 1990 the state was 37th nationally. On the other hand, states who have most aggressively constructed new prisons have experienced some of the highest violent crime rates. Data supports the contention that investments in family support, early childhood programs, and education and employment opportunities result in less violence.

• Low Prison Incarceration Rate

At the end of 1991, Minnesota ranked 49th in the rate at which inmates are incarcerated in a state prison. Currently, approximately 81 persons per one hundred thousand of our state population are incarcerated in state prisons.

Louisiana, a state with a comparable population, incarcerates 464 persons per one hundred thousand. Wisconsin's rate at 165 is double our rate. However, of great significance in terms of the heavy reliance on probation is Minnesota's ranking in control. We are the 12th highest in the nation in the amount of control exerted on offenders through the use of local incarceration, probation, restitution, community service, treatment and other alternatives provided at the community level.⁴

The dramatic increase in probation caseloads and the chronic problems of jail crowding are reflected in this high rate of control.

• Community Corrections Act

In 1973, the Minnesota Legislature passed the *Community Corrections Act*. MS 401.10, Subdivision 1 states:

For the purpose of more effectively protecting society and to promote efficiency and economy in the delivery of correctional services, the commissioner is authorized to make grants to assist counties in the development, implementation, and operation of community based corrections programs including preventive or diversionary correctional programs, conditional release programs, community correction centers, and facilities for the detention or confinement, care and treatment of persons convicted of crimes or adjudicated delinquent.

Presently, thirty counties, which represent two-thirds of Minnesota's population and approximately 75% of the state's offenders, operate under the authority of the *Community Corrections Act*. Minnesota's low incarceration rate is clearly the result of heavy reliance on community sanctions for all adult and juvenile offenders except the most dangerous who are committed to state prisons. Most of the other 57 counties, though not designated as *Community Corrections Act* areas, have embraced the community corrections concept through a similar emphasis on local programming and planning.

⁴ Minnesota Department of Corrections, *Background: Ranking of States*, November, 1992.

2. Minnesota probation agencies have experienced alarming growth in caseloads and responsibilities over the last decade but resources have not kept pace.

ALARMING GROWTH IN CASELOADS AND RESPONSIBILITIES

According to the Legislative Auditor's 1991 report, *Sentencing and Correctional Policies*, the number of probationers supervised in local communities "doubled in the past decade with no significant capacity increases." The new data shows the increase is considerably more than double. (It is possible that number even tripled according to the *Court Resource Management Plan Survey*)⁵ This is evidenced by the sharp increase in the average caseload size which occurred despite the successful efforts of local jurisdictions to find more efficient ways to handle the workload and to decrease the number of referrals.

In February, 1992, the *Minnesota Association of County Probation Officers* and the *Minnesota Association of Community Corrections Act Counties* conducted the *Ranum Study*⁶ in an attempt to assess probation caseloads throughout the state. The results showed caseload ranges of 55 to 400 for adults and juvenile caseloads from 12 to 100 clients per probation officer.

The statewide *average* caseload was found to be 136 for adults and 48 for juveniles. However, caseloads in the some areas were found to be especially overburdened. For example: Dakota County's felony probation agents were each supervising 185 offenders. Ramsey County caseloads averaged 156, Stearns County - 160, and in Hennepin County traditional caseloads ranged from 120 to 180.

It is just not possible to provide the "expected" levels of supervision and comply with all mandates with present resources. Efforts are being made to move thousands of offenders to "group supervision" caseloads so that higher risk offenders can receive more attention. The trade off obviously results in some offenders receiving *minimal* amounts of probation officer time. Hennepin County, for example, presently has about 17,000 offenders being supervised by 12 agents in a newly formed Probation Reporting Center. Five Anoka County probation officers supervise approximately 3,000 offenders, and in Dakota County three officers are supervising 3,800 clients.

The goal is to provide as much supervision as possible to the higher risk cases remaining on traditional caseloads.

⁵ The data collected in the *Court Resource Management Plan Survey* indicate that the number of cases currently under supervision are triple the number supervised in 1983. The data from 1983 is based on a different source and therefore is not comparable.

⁶ The data collected in this study was requested by Senator Jane Ranum during the 1992 legislative session; hence, the survey was named the *Ranum Study*.

Other pressures beyond sheer numbers have added to the stress on probation. Some of these include:

• **Mandates**

The number of legislative requirements placed on probation staff, session after session, has contributed significantly to the probation crowding crisis. Few probation professionals would deny that these requirements represent good correctional policy. But, without increased resources, it is not possible to indefinitely add new responsibilities to so many cases and still provide meaningful supervision. This compounding also increases county liability as probation officers cannot fulfill mandated responsibilities for each case.

These mandates have required many additions to the pre-sentence investigation including: constantly updating, incorporating and learning changes in Sentencing Guideline Worksheets; facilitating gambling, chemical dependency or sex offender assessments; completing neighborhood impact and victim statements; notifying a school district if a sex offender is employed as a school bus driver; determining if a sex offender is involved in any Family Court action and notifying that court of a conviction; and calculating the mandatory minimum fine for each sentencing. Other mandates now require probation officers to facilitate DNA testing; track and report address of sex offenders for years after discharge; complete specialized training and supervise certain offenders up to five to ten times *longer*.

Each new responsibility, as well as the growing number of cases, reduces the time a probation officer has available to supervise offenders, provide services to the Court, uphold victim rights, or utilize treatment interventions.

PROBATION RESPONSIBILITIES* 1980	PROBATION RESPONSIBILITIES* 1992	
Client Contacts Pre-Sentence Investigations Progress Reports Violation Reports Transfer Investigations Prison Pre-Release Investigations Court Appearances	Client Contacts Bail Evaluations Sentencing Guidelines Worksheets Conditional Release Court Appearances Fine Determination Transportation of Clients Program Monitoring Community Work Services Gambling Assessments Restitution Services Victim Impact Statements Neighborhood Impact Statements Progress Reports Sex Offender Assessment DNA Testing Violation Reports Transfer Investigations	Notify School District if Sex Offender is a School Bus Driver Pre-Release Investigations Pre-Sentence Investigations Chemical Assessments or Determine if Alcohol or Drugs Contributed to Offense Report Addresses of Sex Offenders Drug and Alcohol Testing Specialized Training Requirements Longer Probation Terms Intensive Supervision Electronic Monitoring Victim Services and Notifications Family Court Notifications

*Not all inclusive

In addition, agents in rural areas provide "soup to nuts" services -- PSI, supervision for adults and juveniles, mediation, restitution, school liaison, and domestic relations reports for Family Court.

• Legislative Changes to Criminal Law

The Legislative Auditor's Report lists the changes to the *Criminal Code of 1963* which have also had significant impact on probation:

- The number of changes in the code increased from 23 in 1975 to 123 in 1989.
- Over 100 substantive new felonies have been added. These represent both enhancements of existing crimes and new crimes.
- The number of crimes that are gross misdemeanors has doubled between 1975 and 1989.
- The Legislature has enacted tougher sanctions for DWI and other substance-related crimes.

• Public Pressure

Public concern for safety has affected the willingness of courts and probation agencies to discharge offenders from supervision. In recent years, the length of probation has increased and conditions have been added to provide maximum control over offenders.

Hundreds of offenders have been added to caseloads statewide as a result of public awareness of and intolerance for drug, DWI, and domestic abuse offenses. The public clearly expects a high level of supervision for these offenders, as well as for the growing number of assaultive and sex offenders on caseloads in the community. Additional crime categories that contribute to growth in certain geographic areas include prostitution related convictions, gang activities, auto thefts and specific violations of Department of Natural Resources regulations.

• Jail Alternatives

As jails have become more crowded, more effort has been placed on providing less expensive incarceration alternatives and intermediate sanctions. Since there is a defined capacity for each county jail, a case for additional resources can be logically and legitimately made. In a number of counties, probation resources were diverted from mainstream supervision to fund jail alternative programs such as electronic monitoring and Sentence-to-Service work crews. The "capacity" of probation was rarely considered in making these decisions.

• Back-End Pushing

As the state prisons have filled to near capacity levels, alternatives to prison and methods to decrease prison length of stay for potentially less dangerous offenders have been expanded. The effect has been to push more responsibility to local probation departments with very limited increase in funding. For example, in 1989, changes were made in the way criminal history points were calculated by the Sentencing Guideline Commission for some property offenses. As a result, counties assumed responsibility for over 230 offenders who would have gone to prison.⁷ There was no financial adjustment made for the additional jail and probation costs this one change created.

The Legislative Auditor's Report identified additional reasons for probation crowding:

- Sentencing statutes resulting in increased rates of probation (i.e., net widening);
- The use of split sentences (imposing jail time *plus* probation with various conditions to be monitored);
- The need to use probation as an alternative to prison.

⁷ Sentencing Guidelines Commission *Number of Estimated Cases Moving from Prison to Probation Due to Adopted Changes*, March 14, 1989.

3 The pressure on probation services has resulted in innovative practices.

INNOVATIVE PROBATION PRACTICES

Along with crisis comes opportunity. Minnesota corrections agencies responded to these pressures by developing or expanding creative solutions. Some of the most frequently used case management strategies include:

Probation Service Centers/Group Supervision -- a case management method whereby groups of offenders attend an educational class monthly or quarterly, as opposed to one-on-one sessions with individual probation officers.

Scaling -- the process of differentiating intensity of probation supervision and providing for the movement of offenders along the scale as their behavior and department resources change.

Specialized Units -- Offenders with specific court-ordered requirements such as community service work, AA attendance, and restitution are assigned to this unit. Probation officers with caseloads of 200 - 600 monitor compliance. There are no reporting requirements if conditions are met.

Volunteers -- the use of non-paid staff for the purpose of enhancing the work of probation staff.

Administrative Probation -- a category of probation where the offender is unsupervised but any remaining conditions of the court order are monitored.

Capping -- the limiting of a probation officer's caseload/workload at a specified, maximum amount - used mainly for Intensive Supervision caseloads.

Administrative Revocation -- a streamlined disciplinary process for alleged probation revocation cases, handled through an administrative hearing in lieu of a court proceeding.

These and other case management practices have helped to manage the negative consequences of burgeoning caseloads. Unfortunately, though the effort improved the efficiency and, in some cases, the effectiveness of probation supervision, the increased workload is too great to overcome entirely by re-designing the means by which services are delivered.

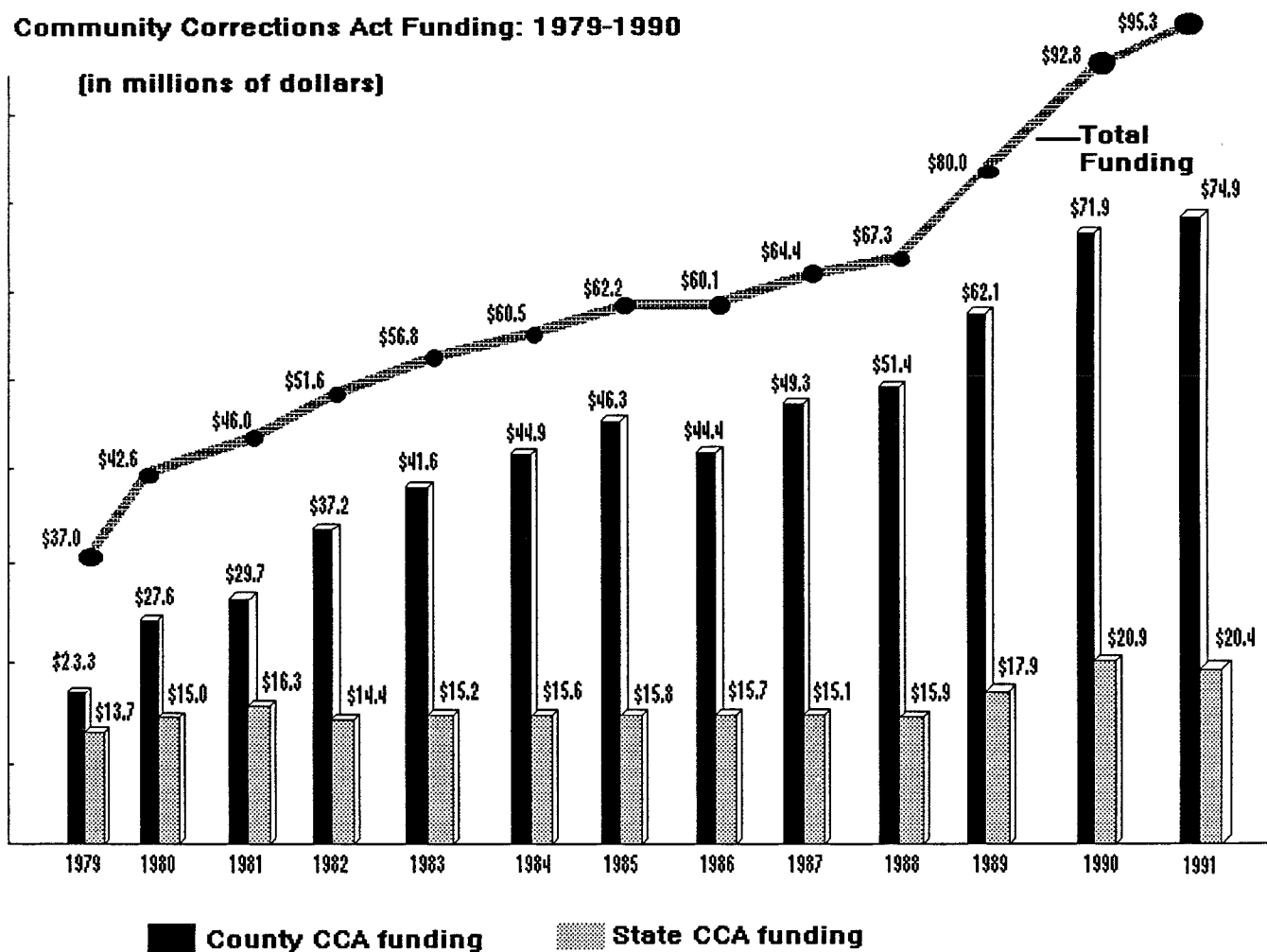
4 ● Counties are paying a disproportionate share of the increase in correctional expenditures.

DISPROPORTIONATE STATE FINANCING

Correctional system success at the State level has come at a tremendous expense to local government and property taxpayers. The partnership between the state and local corrections agencies has become a competition for resources. Funding has increased consistently for state institutions, but financial support to local corrections agencies has *not* kept up with the huge increases in offenders and the mandated responsibilities that counties have had to assume. This has been especially true in Community Corrections Act counties. For example, in 1991, the State of Minnesota provided \$20 million in funding to Community Corrections Act counties. This compares to \$74 million which counties fund through property taxes. State funding of CCA costs have decreased from 37% of the total in 1979 to 20% in 1991. If state funding had increased at the same rate as local funding since 1980, the state would need to add 24 million dollars to the CCA.

Community Corrections Act Funding: 1979-1990

(in millions of dollars)



SOURCE: Minnesota Department of Corrections

5 • Quality and related services have suffered because service demands have outstripped additional resources and efficiencies.

QUALITY PROBATION SUFFERED

Despite some gains in resources and improved practices, overall quality of probation services has suffered. Workloads continue to be excessive. The number of options left to further reduce costs and increase efficiency appear to be quite limited. The shortcuts already taken are affecting the quality of services, and the gap between what is commonly considered to be "good correctional practice" and actual service has been widening. Staff morale and burnout are primary problems and more and more jurisdictions are cutting back on services which once were considered vital to public safety and to changing offender behavior.

Some examples of service alterations which are being considered or have already occurred include:

- Elimination of mandated pre-sentence investigations for some offender categories;
- Less aggressive restitution collection efforts;
- Increased use of revocation procedures, resulting in more prison time and jail time;
- Elimination of probation services for misdemeanor and gross misdemeanor cases, using resources for felons only; and
- Elimination of correctional services to juvenile truants.

In addition to service cutbacks, two significant shifts are perceived to be occurring:

Increased Emphasis on Incarceration

When caseloads are high, probation officers have less time to intervene early and effectively when probationers start showing signs of reverting to illegal behavior. Often, attention is given only to those who have already committed another offense. Prevention through case management is replaced by crisis management. In addition, probation officers often must find shortcuts to get offenders' attention. Rather than time-consuming sessions with offenders, detaining offenders in the local jail may become the preferred option. At a cost of \$50 per day, this can be an expensive means to get probationers under control. Finally, prosecutors and judges are aware of the stress on local probation departments. A sentence to probation has a different meaning today than when caseloads were 50% lower. Jail and prison sentences may be used more frequently given the inability of many probation departments to supervise offenders adequately.

More Emphasis on Surveillance and Less on Providing Opportunities for Offenders to Change Their Behavior

Minnesota corrections has often led the nation in developing innovative rehabilitation programs. Prior to the present crisis in probation, offenders were routinely given the opportunity to change behavior while on probation and many were successful. Increasingly, however, corrections has been forced out of the rehabilitation role and into one of surveillance. Probation departments have shifted more resources toward the most dangerous offenders. The result has been the benign neglect of providing information and service to the courts and treatment and education services to offenders. Some correctional agencies are altering their mission statements by dropping rehabilitation goals and emphasizing surveillance.

6. If funded appropriately, treatment and intervention do work.

TREATMENT, INTERVENTION CAN WORK WITH APPROPRIATE TIME AND RESOURCES

This changing focus away from rehabilitation may prove to be much more costly to the public in the long run. Most offenders will be back in the community from their prison or jail stay. Contrary to the perception that "nothing works," there now exists a large body of research (based on over 500 studies) on the psychology of crime and what works and does not work in reducing recidivism. These studies indicate that criminal sanctions without treatment are not effective. Shock incarceration and intensive probation without treatment programming are not effective in reducing crime. And, contrary to many practices, the offenders most likely to benefit from treatment services are the high risk -- not the low risk -- clients.⁸

What has characterized Minnesota in the past has been the ability to deliver high quality individualized probation services to offenders. Most corrections administrators and probation officers presenting testimony to the Task Force expressed frustration at their growing inability to provide appropriate service to the courts, victims, the community, and to offenders. It is a win-win situation for taxpayers, the community, victims, and clients if offenders are employed, take care of their family obligations, become aware of their destructive behavior, and lead law-abiding lifestyles.

There are many examples of very effective correctional programs in the community that have proven successful in changing negative behavior. The key elements in each involve small caseloads, individualized attention, relationship building and concrete problem solving. Many of these programs are funded by grants.

⁸ Andrews, Dr. Donald, Department of Psychology, Carleton College, Ottawa, Canada, 1992. A meta-analysis of studies measuring recidivism rates of offenders receiving treatment interventions and those sentenced to incarceration only.

7 ● **Minnesota policymakers must accept the changes and consequences taking place in corrections, dedicate additional resources, or eliminate legislative mandates which increase probation responsibilities.**

**ACCEPTING
CHANGES
TAKING
PLACE IN
CORRECTIONS**

Some of the changes which have taken place in recent years have been positive. A great deal of innovation and improved efficiencies have enhanced the professionalism and accountability of probation services. However, public expectations for surveillance and control of offenders have increased at a time when the system's ability to meet those expectations has decreased. Our concern for public safety is real and growing. System resources in recent years have been focused on state and local institutions. Yet, effective probation services and case management are integral to the effectiveness of the whole correctional response. An overloaded probation system has a profoundly negative effect on the courts, victims, offenders, and the public.



RECOMMENDATIONS

The Task Force recommendations are based on the belief that local autonomy has succeeded in creating a sense of community ownership for local programs and, consequently, has generated much creativity in finding ways to deal with local corrections issues.

The recommendations are intended to support this strength, maximize the use of local resources, and enhance public safety. The following section presents the Task Force recommendations for each of the legislative directives.

RECOMMENDATIONS

Legislative Directive One

Report on the number of offenders being supervised by individual probation officers across the state, including a statewide average, metropolitan and non-metropolitan, a statewide metropolitan and non-metropolitan range, and other relevant information about current caseloads.

Cases under supervision have increased from about 27,700 in 1983 to an estimated 90,000 in 1992. These 90,000 cases are supervised by approximately 678 probation officers. State funding has not kept pace with this growth in caseloads.

Many counties have developed excellent information systems that produce accurate and timely information and statistical reports for their local agencies; however, there is no central source for information on offenders and probation resources. Consequently, the Task Force relied on three major sources to provide a response to this legislative directive -- the *Ranum Study*, data from the *Court Resource Management Plan*, and the *Department of Corrections Probation Survey*. The Task Force found that data was not consistent between the sources because each was focusing on slightly different types of information, addressed a different time period, or organized the information into different categories.

For example, the *Ranum Study* focused primarily on the numbers of misdemeanor and gross misdemeanor offenders and probation officers providing direct supervision. However, the *Court Resource Management Plan Survey* contained more complete data on offenders and reported the number of all corrections staff (institution staff, administrative, Domestic Relations court officers, etc. as well as probation officers). The Department of Corrections *Probation Survey* does not include data on parolees being supervised by local corrections agencies. The Task Force attempted to reconcile the differences between these sources to provide a response to this legislative directive. Our efforts produced an estimate of the number of probation staff and offenders under supervision in Minnesota; however, at this time it is not possible to give a totally accurate report of that information.

RECOMMENDATIONS

Legislative Directive Two

Recommend minimum caseload goals and an appropriate mix for types of offenders.

. Recommendation

1. Establish a *Probation Task Force*, composed of representatives from the Department of Corrections, County Probation Officers Association, and Community Corrections Act counties, to:
 - A. Develop a funding request to the 1995 Legislature to include
 - .. The number of additional probation officers needed statewide;
 - .. The cost of these additional staff;
 - .. A recommended method of funding; and
 - .. Recommendations about the role of county versus state obligation to finance the costs.
 - B. Examine existing client information systems and develop standardized case definitions and reporting procedures so that the number and types of cases and offenders can be reported uniformly statewide.
 - C. Develop a framework for objectively defining case classification categories to facilitate statewide reporting.
2. Each agency responsible for probation services should develop a case classification system for the purposes of establishing appropriate strategies for case management. Each system should reflect local needs, values, and resources and be based on factors such as type of offense, past pattern of criminal activity, risk behaviors, and need for services.
3. The Department of Corrections should revise the annual *Probation Survey* report to be compatible with the case definitions and reporting procedures as recommended by the Probation Task Force.

.Discussion

The idea of limiting probation officer caseloads to a specified maximum number of supervised offenders recognizes the need to treat probation officers' ability to provide supervision services as a finite capacity, much the same way as prison capacity is limited by number of beds.

In 1991, the American Probation and Parole Association (APPA) studied this issue and recommended that APPA not adopt or support a system based on the caseload concept. Instead, APPA favors the use of classification systems to develop workload methods of case assignment. Case classification is an effective tool in targeting limited resources to those most in need of services and in maximizing public protection objectives.⁹

During the 1980s, the National Institute of Corrections developed a model classification system for the objective classification of offenders and the corresponding deployment of probation resources. The Department of Corrections uses a classification system based on this model, as do many local corrections agencies. Other agencies have developed different types of systems which more specifically address their local needs and resource limitations.

Case classification systems generally include several components:

- .. Classification of cases on the basis of offense, risk of continued criminal activity, or the offender's need for services;
- .. Development of minimum standards defining the basic work required of probation officers for each type of case;
- .. A workload system which allows agencies to concentrate resources where they are most needed and most efficiently utilized; and
- .. An information system that provides monitoring, evaluation, and planning capabilities.

Local, statewide, and national attempts to develop probation caseload standards have met with mixed results. However, it is generally accepted that, for mainstream supervision caseloads, ranges of 65 to 75 for adults and 40 to 45 for juveniles allow

⁹ American Probation and Parole Association, "Caseload Standards," APPA Issues Committee Report, *Perspectives*, Summer, 1991.

for reasonable supervision contact standards. However, current caseload sizes for offenders on traditional probation supervision are much larger. For example, in Ramsey County (after shifting a large number to group supervision), adult caseloads now average about 130 adult offenders and 50 juvenile clients per officer. In Stearns County, caseloads average 160 for adult and 40 for juvenile.

Caseload numbers often are not sufficient to describe an agency's work because certain types of cases are supervised differently than the traditional method of a probation officer providing direct supervision services to a number of offenders. Not all cases require the same amount of work or probation officer time. The level of difficulty, the risk to the community, the client need level, as well as geographic accessibility all contribute to work required in supervising a particular case.

For example, intensive supervision caseloads, which frequently average 15 to 20 offenders, are usually supervised by a team of probation officers who work individually in shifts to provide service beyond the hours of the normal work day. In addition, many corrections agencies have created group supervision programs in order to handle larger numbers of offenders with fewer staff. In these programs, it is typical for several hundred offenders to report to one or two probation officers for monthly group sessions.

RECOMMENDATIONS

Legislative Directive Three

Report on the adequacy of current staffing levels to provide effective supervision of violent offenders on probation and supervised release.

. Recommendation

The Legislature should provide funds for field service agencies to develop and operate additional or enhanced innovative and cost effective programs aimed at improving supervision of both juvenile and adult violent offenders. These funds should be allocated through the existing funding streams (i.e., Community Corrections Act subsidy, the County Probation Officer subsidy, and Department of Corrections field service budget).

. Discussion

In February, 1992, the Minnesota Association of Community Corrections Act Counties and the Minnesota Association of County Probation Officers conducted the *Ranum Study*, a statewide survey of probation caseloads. This survey found that 13% (8,460) of the 67,000 adult cases and 9% (904) of the 9,800 juvenile cases under supervision at that time were public risk cases. A weapon was used in 19% (1,590) of the adult and 57% (513) of the juvenile public risk cases. Public risk cases were defined in the survey as those cases where a weapon was involved in the offense, the victim suffered injury, the offender had a history of violent behavior, or there had been serious domestic abuse incidents.¹⁰

¹⁰ The *Ranum Study* reports fewer cases than the 90,400 estimated from the *Court Resource Management Plan* data. This occurs for a number of reasons. Data was calculated from the 75 counties responding to the survey and not from all 87. The study focuses on misdemeanor and gross misdemeanor offenses, extrapolating felony data from the Department of Corrections Probation Survey. The study did not include the several thousand cases which are monitored for compliance with specific court-ordered conditions and, due to differing classification systems, are counted as being under supervision in some counties but not counted in others. The *Court Resource Management Plan* data does include these monitored cases and is a more comprehensive source for offender data and probation officer responsibility from more counties.

For example, Anoka County reported 260 high risk offenders under supervision; Dakota 628; Polk, Red Lake, Norman 92; the Arrowhead Region 668; Ramsey 1,582; Hennepin 5,235.

Seventy-eight percent (6,572) of the 8,700 public risk cases reported were found to be on caseloads in Ramsey and Hennepin County. Currently, there are approximately 700 prison releasees being supervised in Hennepin and 280 in Ramsey County. Some, but not all prison releasees were counted in the category of public risk cases. Caseloads in both counties include a significant number of sex offenders - an estimated 578 in Hennepin and 369 in Ramsey.

The *Ranum Study* also looked at the average caseload across the state. The study revealed that caseloads averaged 136 for adults and 48 for juveniles and that these caseloads included a mix of all types of cases, including those identified as high risk. These same officers were also often expected to conduct time consuming investigations for the court. With such numbers, no one offender can receive much attention from his/her assigned probation officer.

But caseload size alone does not tell the whole story. How often should high risk cases be contacted by their probation officers? Generally, high risk cases are those identified as being in need of more frequent face to face contacts and levels of surveillance. Maximum supervision for adults in many areas of the state has come to be defined as one face-to-face contact with the offender each month. Only a few jurisdictions are able to offer intense supervision caseloads for high risk cases, usually around 15 offenders, supervised by a single probation officer or a team. Such programs may require four to six contacts, including collaterals, per week.

At the present time, there are few jurisdictions that have an intensive program (or the resources to fund one) for public risk probation offenders, who are not prison releasees. This is a significant point because approximately 80% of all felony cases are sanctioned at the local level. Less than 20% end up in our prison system and almost all of those who do go to prison are released back into the community on probation officer caseloads. A comparatively small number of prison releasees are supervised in the new state-funded Intensive Supervision Program.

State-Funded Intensive Supervision Program

In 1990, the Legislature gave the Department of Corrections funding to establish an intensive supervision program for prison releasees. The program has two main components: Intensive Supervised Release (ISR) for higher risk offenders (mostly sex offenders) who have served their prison terms and Intensive Community Supervision (ICS) which allows an early release, with court approval, for offenders deemed a lower risk to public safety. ICS is being utilized as a strategy to reduce prison crowding. According to the DOC 1991-1992 Biennial Report, approximately 300 offenders state-wide were involved in this program in the past two years.

The DOC directly operates this Intensive Supervision Program in non-CCA areas. Although an estimated 75% of all offenders come from CCA counties, the DOC provided direct funding grants for the program to only two CCA county corrections agencies (Washington and Anoka). In Hennepin and Ramsey Counties, where the majority of prison commits occur, the DOC rejected county proposals and awarded the contract for intensive supervision to two private, non-profit agencies.

Having non-profit agencies operate the Intensive Supervision Program is an unresolved and controversial issue in both counties. Concerns focus on whether the most dangerous offenders should be supervised by private sector agencies. It also raises serious questions as to the advisability of creating yet again another delivery system. This is contrary to the purpose of the Community Corrections Act; that being centralized administration and control of all correctional services provided within the county. This type of arrangement creates very serious problems for the counties -- county probation officers having no information about the current status of these dangerous cases; lack of coordination; and a confusing system for law enforcement, probation, and judges. Most of these cases were on supervision to county probation officers before going to prison so that offender files and behavior patterns were known to agents. In many instances, these offenders will become the responsibility of county correctional staff after completing the Intensive Supervision program.

Adequacy of Current Staffing

Task Force members felt that current funding is not adequate to provide the needed supervision for violent, high risk offenders currently residing in the community. While the state-funded intensive supervision program provides a small amount of assistance in dealing with this dangerous population, it is clearly inadequate. The program excludes hundreds of offenders who are not prison releasees and uses a number of the limited program slots for low risk offenders to reduce prison crowding. In the case of the private, non-profit agencies, offenders are transferred back to crowded county corrections caseloads when the intensive supervision program agent determines that the offender has completed the terms of ISP or ICP.

RECOMMENDATIONS

Legislative Directive Four

Report on the need for increasing the number of probation officers and the cost of doing so.

. Recommendations

1. To provide some immediate relief to the probation crowding crisis, it is recommended that:
 - A. The \$9.5 million currently in the Governor's budget for increasing the Community Corrections Act Funding be appropriated to CCA counties without ties to shifting certain short-term prison commits to the counties;
 - B. DOC's request for additional probation staff be funded;
 - C. Additional funding for County Probation Officer counties be appropriated to reduce high caseloads.

2. The Probation Task Force shall make a funding request to the 1995 Legislature which would include:
 - .. The number of additional probation officers needed statewide to meet local workload standards;
 - .. The cost of these additional staff;
 - .. A recommended method of funding; and
 - .. Recommendations about the role of county versus state obligation to finance the costs.

.Discussion

The increase in service demands has outstripped the limits of counties' resources. In a survey conducted by the Office of the Legislative Auditor for its report *Sentencing and Correctional Policies* as well as the public hearings conducted by the Task Force, most corrections professionals in the state said that one of their most pressing needs is for more officers to lower caseloads in order to permit more responsible offender supervision. Additional staff and programming funds are needed for traditional supervision as well as resources for intensive supervision of violent, high risk offenders.

While the Task Force concludes there is definitely a need for additional probation staff, the Legislature's question of whether Minnesota needs more probation officers and, if so, how many, raises a series of other questions. Some of these include:

- .. Are there responsible alternatives to increasing the number of probation officers?
- .. Are there alternatives being used state-wide where practical? Are the alternatives a worthwhile trade-off?
- .. What has been the affect of recent changes in the way probation departments deliver probation services? How do these changes influence the need for more probation officers?
- .. Can some probation services be provided by paraprofessionals? By volunteers? If so, what are the comparative direct and indirect costs? How much funding is needed to implement volunteer programs in counties?
- .. How should workload be measured? What systems can be developed to determine the appropriate number of probation officers needed?

The need is so overpowering that we need immediate relief.

Initially, the *Probation Standards Task Force* attempted to assess the number and cost of getting workloads to a level of minimum standards. The difficulties in completing this assessment centered around

- .. lack of a consistent method in the 87 counties for determining and reporting workload (a comparative measure of an agent's work) versus caseload (the number of cases per agent);
- .. lack of accurate and timely data on actual case numbers; and
- .. the inability to determine an estimated average cost for a probation officer position in a timely fashion.

The Task Force relied on the Legislative Auditor's report *Sentencing and Correctional Policies*, the *Criminal Justice Resource Management Plan*, and the *Ranum Study* for data about the numbers of cases and probation officers in the state. However, there are some variations in the way each of these reports count cases and numbers of staff which makes it very difficult to come up with definitive totals. The Task Force used the data as best we could from these sources to estimate:

- There were 90,445 cases (79,545 adults and 10,900 juveniles) under supervision or being monitored at any given time in Minnesota in 1992.
- There are approximately 1,050 correctional workers classified as probation officers in the state; however, not all of these staff directly supervise probation cases. Many work in institutions, such as Boys Totem Town, the Hennepin County Home School, and detention centers; in special programs, like group supervision or day reporting centers where there is not one-to-one supervision; or in Domestic Relations doing investigations, mediation, and supervision in divorce matters for Family Court.
- Based on available data, the Task Force estimated there are about 678 probation officers (approximately 408 for adults and 270 for juveniles) providing traditional supervision services.
- If a differentiated caseload system, (one that provides an objective way to allocate resources and prioritize cases) were implemented statewide, the Task Force estimated that the **maximum** caseload size should be roughly 70 adult cases per probation officer for traditional supervision.
- If all offenders were placed under traditional supervision, reducing adult caseload sizes to 70 would require an additional 579 probation officers statewide. At a rough estimate of \$35,000 per officer for salaries and benefits, \$20.3 million would be required. (This does not include the costs such as staff support, transportation, office space, etc.)

However, the Task Force strongly supports using alternatives such as day reporting centers, group supervision, and other methods to reduce the numbers of cases under traditional supervision. If programs such as these are implemented and prove to be effective, the final estimate of the number of probation officers needed for traditional supervision can be reduced.

These estimates of additional staff and funding needed are overly simplistic given the reasons noted earlier. Therefore, the Task Force concluded that a recommendation of this financial magnitude would be premature at this time. If the other recommendations in this report are implemented, a more definitive and responsible estimate of future costs can be provided for the 1995 Legislative session.

RECOMMENDATIONS

Legislative Directive Five

***M**ake other relevant recommendations.*

. Recommendations

1. Examine legislative mandates for possible elimination. Examples of mandates to consider eliminating include those requiring chemical assessments for all DWI offenders and some of the pre-sentence investigation mandates. For example, PSIs for property offenders could be discretionary, but mandatory for person offenders.
2. Consider reducing services to less serious offenders (e.g., mandatory fines instead of probation for misdemeanants; no probation for petty misdemeanants) if adequate resources are not allocated.
3. Provide funding to encourage creative ways to increase productivity through the use of technology (e.g., computers, cellular phones, caseload management software, etc.).
4. Require and fund uniform education and training in the areas of victimology, victim services, and probation officer safety. This training shall be provided either by the state or by local agencies and shall include areas such as the responsibility of corrections agencies to victims, probation officer role with victims, information about victim services in the community, mandated requirements related to victims, sensitivity to victim issues and rights, and issues related to increasing the safety of probation officers.
5. Encourage and fund the *Minnesota Office of Volunteer Services* to provide technical expertise to counties for the development and expansion of volunteer participation in local corrections agencies. Volunteer services can be significant and frequently enable a corrections agency to provide services beyond what they could reasonably be expected to do with paid staff alone. Volunteers can provide a wide gamut of services such as helping to supervise certain types of cases, assisting crime victims, making referrals, monitoring low risk cases, and interviewing offenders to get information for court reports.

6. Support efforts to improve the BCA criminal history information system so that probation officers are able to obtain current and complete information when doing record checks for pre-sentence investigation and supervision purposes. Such efforts should include mandatory reporting of convictions and domestic assault offenses which are currently discretionary if conviction is a 5th degree assault.

.Discussion

Probation services throughout the state have been unduly burdened over the past decade with increasingly complex service demands, often in the form of legislative mandates. At the same time, agencies have experienced a rise in the number of offenders referred by the courts. County and state funding sources have not kept pace.

This "double load" has had a crippling affect on the probation system. Many feel it has resulted in a significant loss of effectiveness in terms of both the ability to help offenders achieve full citizenship in our communities and efforts to restore crime victims through programs such as monetary restitution. Similarly, these factors are cited as the principal reason for our impaired ability to respond fully to the expectations of important customers such as the public and the courts. This situation has fostered a growing perception that probation is unable to make a difference.

In spite of these parallel limitations -- increasing service demands and a dramatic rise in offender numbers -- many correctional agencies responsible for the delivery of probation supervision and court services have done their utmost to wisely deploy existing resources to achieve the best in correctional service for each dollar spent. There have been some good results. But no one would question the need to accelerate efforts in that area. We will need creative, future planning for programs that take advantage of advanced technologies. More research into what works and what does not is also needed. Planning grants would provide encouragement to local governments and aid expansion of this important activity.

Adopting sound planning strategies should guarantee benefits throughout the 90s in our battle to stay ahead of catastrophe. It is not, however, the only answer.

If the appropriate funding of probation is not forthcoming -- soon -- jurisdictions across the state will be facing the further reduction of services to less serious offenders (for example, misdemeanants) at precisely the time when we are being called upon to place more emphasis on supervising particular segments of that offender population, such as DWIs. The reality of other service reductions will surely come about, despite creative and resourceful planning, if probation is further squeezed beyond its overextended capacity.

Even with the infusion of new money, getting beyond the *status quo* will require initiative and rethinking probation's role in the criminal justice system. For

instance, we must examine our relationship to crime victims. Are we doing all we should to educate our profession regarding victims and sensitizing staff to their concerns? Uniform education and training in victimology and victim services should be required of all criminal justice agencies, whether provided by the state or by local governments. Enlisting the support of volunteers in this effort can move us closer to our victim service objectives.

Volunteer services can be similarly employed in assisting paid staff with tasks related to case processing, the monitoring of certain conditions of probation established by the courts, and selected activities under the direction of professional staff. Important prerequisites for effective volunteer participation in any correctional programming are experienced recruiters, aggressive advertising that recognizes cultural and ethnic diversity, appropriate screening of candidates as to qualifications and suitability for the job, thorough job training, and a positive work environment. With these ingredients, volunteers can prove to be a valuable adjunct to paid staff. Many agencies could secure additional benefits for their programs and their clients by expanding the participation of volunteers from their home communities.

The recommendations listed under Legislative Directive 5 do not represent all the concerns identified by our Task Force members during weeks of study and intense discussion. They are, rather, our "short list" of issues -- the items we believe deserve the greatest attention in the near term.

MINNESOTA PROBATION

Appendix A

Excerpts From the Court Resource Management Plan Data

The Ranum Study

Excerpts From the Court Resource Management Plan Data

Some of the data collected by the Court Resources Management Plan's survey of all Minnesota counties was used by the Task Force in its deliberations. This is a summary of the major 1991 data referred to.

Cases Under Supervision

	<u>Adult</u>	<u>Juvenile</u>	<u>Total</u>
Intensive Supervision	3,204	801	4,005
Traditional Supervision	33,285	6,271	39,556
Minimum Supervision	22,963	998	23,961
Unsupervised	9,384	766	10,150
Other (Group Supervision, Day Rpt. Ctrs., etc.)	1,778	708	2,486
Monitored, but not on Probation	<u>8,904</u>	<u>1,383</u>	<u>10,287</u>
TOTAL	79,518	10,927	90,445

Number of Probation Staff

Chief Probation Officers	49.2
Managers and Supervisors	105.7
Probation Officers	1,053.3
Paraprofessionals	53.5
Clerical	293.2
Specialized Professionals	96.6
Other	<u>289.3</u>
TOTAL	1,940.8

Diversion Programs

Diversion Programs for Adults	11 Counties
Number of Adult Cases Diverted	785 Cases
Diversion Programs for Juveniles	52 Counties
Number of Juvenile Cases Diverted	7,839 Cases

Excerpts From the Court Resource Management Plan Data

Community Work Service Programs (CWS)

CWS Used Only for Adults 2 Counties
CWS Used Only for Juveniles 6 Counties
CWS Used Both Adults
and Juveniles 53 Counties

Total Using CWS 61 Counties

CWS Ordered by the Court or
Made a Condition of Probation 41% of Adult Cases
63% of Juvenile Cases

Total CWS Hours Ordered 974,690 Hours for Adults
199,869 Hours for Juveniles
1,174,559 Hours Total

***The Ranum Survey
of Minnesota Probation Cases Under Supervision
As of February, 1992***

Data based on survey information submitted for 75 of 87 Minnesota counties.

1. Number of Cases Under Supervision

<i>Adult Gross Misdemeanors:</i>	<u>TOTAL</u>	<u>RUNNING TOTAL</u>
DWI Offenses	10,737	
Domestic Abuse	307	
Sex Offenses	138	
Other Person Offenses	541	
Drug Offenses	119	
All Other Offense Categories	<u>2,843</u>	
TOTAL	14,685	14,685
<i>Adult Misdemeanors:</i>	<u>TOTAL</u>	
DWI Offenses	12,960	
Domestic Abuse	2,319	
Sex Offenses	251	
Other Person Offenses	1,228	
Drug Offenses	207	
All Other Offense Categories	<u>12,220</u>	
TOTAL	29,185	43,870
*Adult Felonies:	<u>TOTAL</u>	
TOTAL ADULT FELONIES	23,249	67,119
TOTAL ADULT CASES UNDER SUPERVISION		67,119

*Felony cases under supervision as of December 31, 1991, per Mn. Department of Corrections Data.

Juveniles: (Felonies, Gross Misdemeanors and Misdemeanors)

	<u>TOTAL</u>	<u>RUNNING TOTAL</u>
Sex Offenses	616	
Other Person Offenses	1,574	
Drug Offenses	387	
All Other Offense Categories	<u>7,241</u>	
TOTAL JUVENILE	9,818	
TOTAL JUVENILE CASES UNDER SUPERVISION		9,818
TOTAL CASES UNDER SUPERVISION		76,937

2. Public Risk Cases in Total Caseload
(Felony, Gross Misdemeanor, Misdemeanor)

Public Risk Cases are those where a weapon was involved in the offense, the victim suffered injury, the offender has a history of violent behavior, or there have been serious domestic abuse incidents (e.g. threatening or intimidating behavior, victim injury, etc.).

	<u>TOTAL</u>
<i>Adult Public Risk Cases</i>	8,460
<i>Juvenile Public Risk Cases</i>	904

3. Cases in Which a Weapon Was Used

<i>Adult Cases</i>	1,590
<i>Juvenile Cases</i>	513

4. Probation Officer Staff

	<u>ADULT</u>	<u>TOTAL JUVENILE</u>
Traditional Supervision	256.8	157.9
Investigation Unit	99.6	17.0
Specialized Caseloads	38.5	12.0
Intensive Supervision	13.0	32.5
Other	<u>7.5</u>	<u>6.5</u>
TOTAL	415.4	225.9

5. Caseloads for Adults

	<u>CCA-MACPO</u>	<u>STATE</u>
Average	136	98
Range	55-400	
Median	500	

Caseloads for Juveniles

Average	98	51
Range	12-100	
Median	45	

6. Cost Per Case for Adults

Average	\$273	\$573
Range	\$62-\$474	
Median	\$267	

Cost Per Case for Juveniles

Average	\$642	\$720
Range	\$191-\$1,840	
Median	\$436	

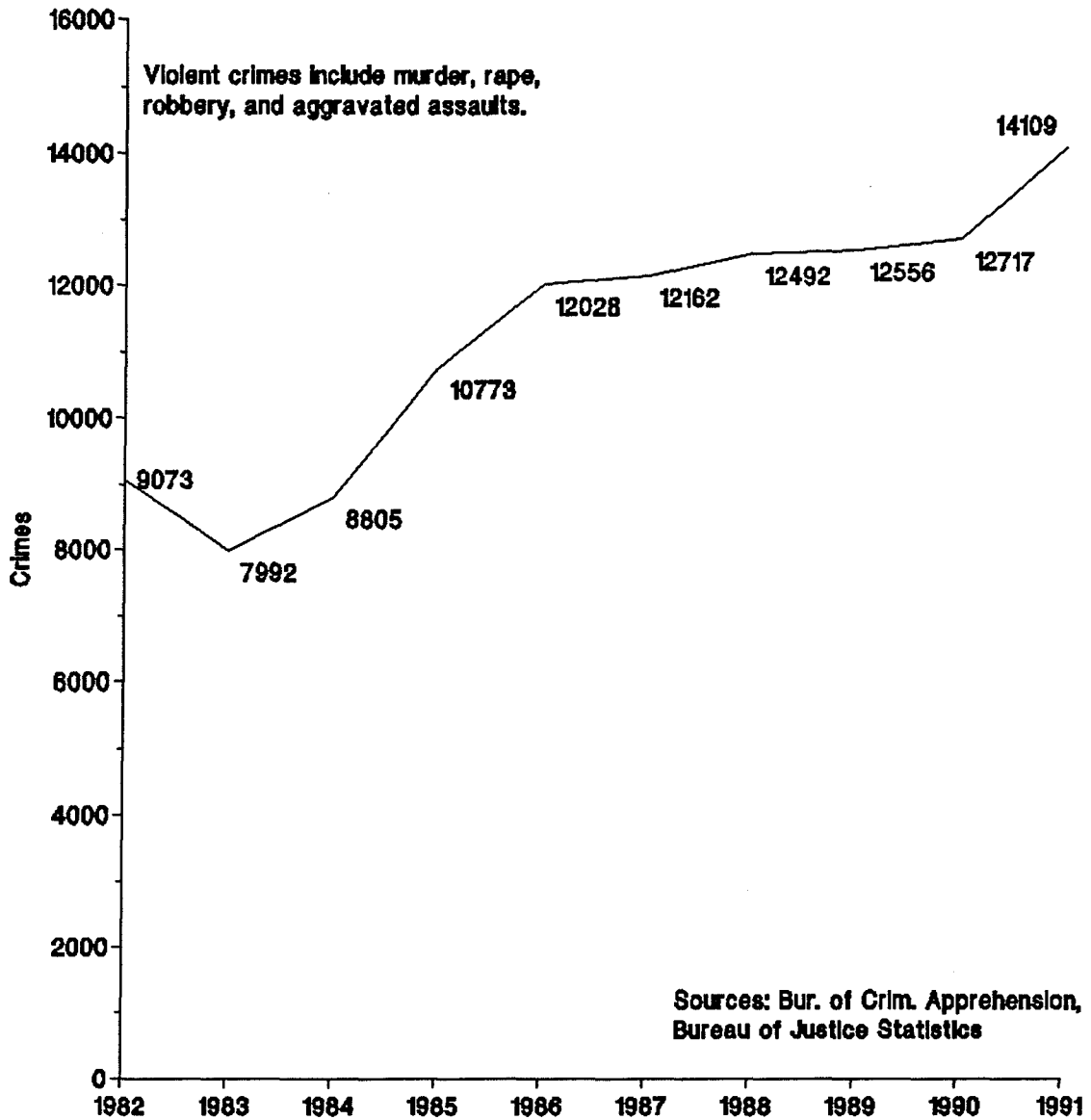
MINNESOTA PROBATION

Appendix B

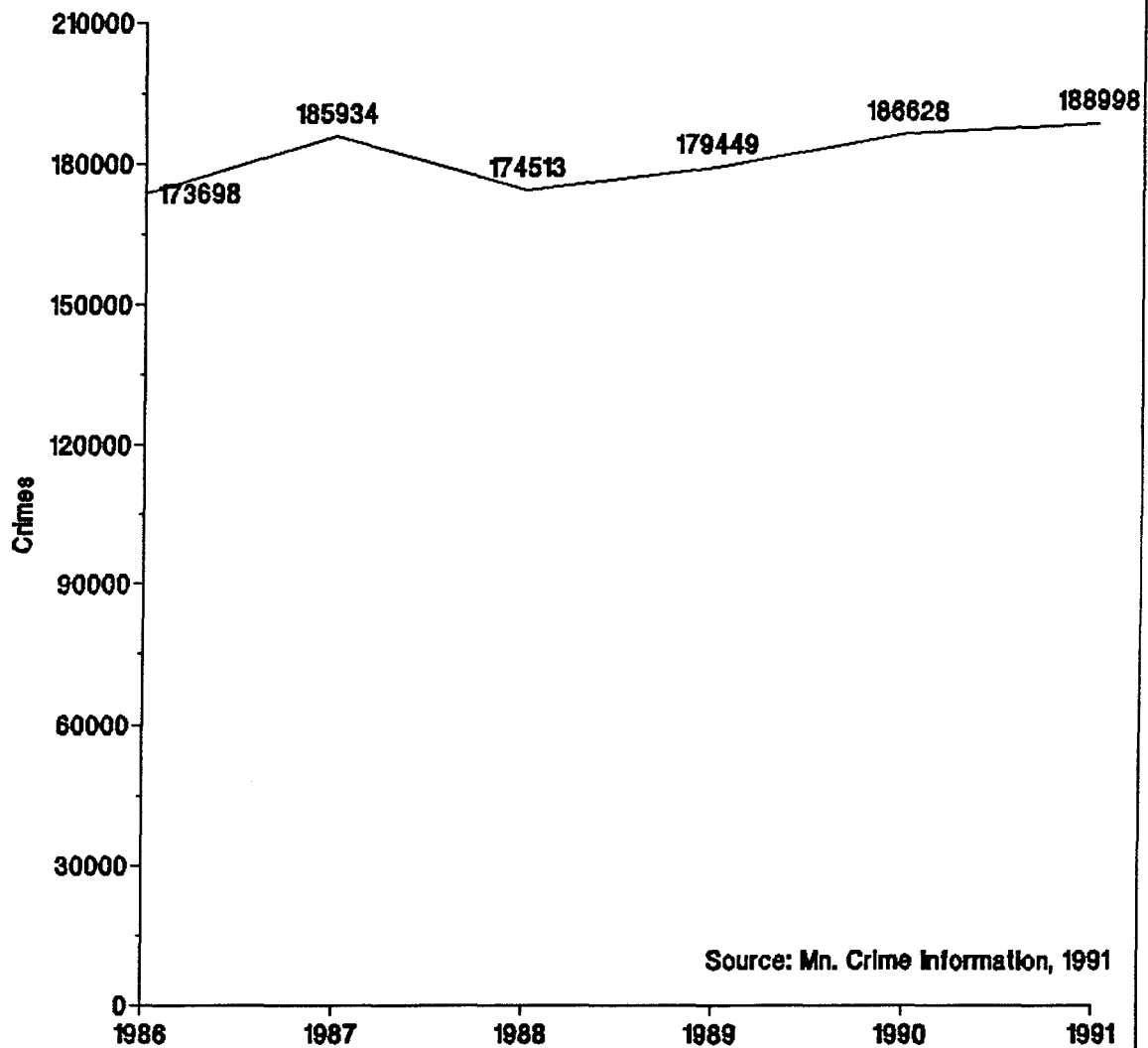
Growth in Violent Crime in Minnesota

Growth in Serious Property Crime in Minnesota

REPORTED VIOLENT CRIMES IN MINNESOTA 1982 - 1991



REPORTED SERIOUS PROPERTY CRIMES IN MINNESOTA: 1986 - 1991



MINNESOTA PROBATION

Appendix C

*Examples From a Current Adult and
Juvenile Probation Caseload in Ramsey County*

***Selected Examples From a Current Adult Probation
Caseload in Ramsey County***

Adult

1. 24 year old, single, woman. ***Possession Cocaine 5th Degree***; one prior Felony, ten prior misdemeanor/gross misdemeanors. Severely emotionally disturbed. M.I. (Schizophrenic). Chemically dependent. Multiple interveners.
2. 30 year old, widowed, female. ***Probation - Sale of Cocaine 3rd Degree and Possession of Cocaine 5th Degree***. Sale offense was to individual killed during sale. She and three other co-defendants not charged. Subsequent possession offense was bargained "90 day cap on time served." Chemically dependent.
3. 20 year old, single, male. ***Probation for Assault 3rd Degree***. Multiple stabbing/shooting in gang-related incident. Victim almost died during ten hour surgery.
4. 27 year old, separated, woman. ***Probation for Possession Short Barreled Shotgun***. Police responding to a fight - apprehended her - carrying loaded/sawed-off shotgun.
5. 23 year old, single, male. ***Criminal Damage to Property 2nd Degree***. Burglarized/terrorized Jewish House at Macalester College. "Skinhead". At least three probation violations for non-cooperation.
6. 19 year old, single, woman. ***Criminal Vehicle Operation Resulting in Severe Bodily Harm***. Passenger in car suffered severe brain injury. All three girls in car were drunk after celebrating high school graduation. No priors. Tremendous restitution. Extensive sessions with both defendant and victim's family.

7. 36 year old, single, woman. **Harassing Phone Calls (2nd Consecutive - misdemeanor probation)**. Harassment of neighbor (severe/daily). M.I. and intellectually limited. Previous abuse by parents. Extensive interventions - multiple agency involvement.
8. 22 year old, single, male. **Theft from Person (Shotgun Robbery)**. Two prior Felonies (previously revoked and imprisoned). Several pending new offenses. One violation on this case already. Chronic chemical use/non-cooperative. Criminal lifestyle.
9. 18 year old, single, woman. **Terroristic Threats** (threatened to shoot pregnant woman in the stomach). Gang member, currently on warrant status. Extensive juvenile record.
10. 20 year old, single, male. **Dangerous Discharge of Firearm** (drive-by shooting). Missed intended victim, bullet passed through two rooms of house. Extensive juvenile arrest record, gang related.
11. 26 year old, single, male. **Assault 2nd Degree, Felony Theft and Gross Misdemeanor DWI probations**. Extensive DWI record (*one prior felony, eight prior misdemeanor/gross misdemeanor* convictions). Record of failure on supervision. Assault 2nd Degree involved breaking into half-brother's home and multiple stabbing him while brother sleeping (in front of brother's wife and children). Chronically chemically dependent and anti-social.
12. 42 year old, divorced, male. **Burglary 1st Degree**. Broke into ex-wife's home and stabbed her in front of their children. One prior for **Assault With Gun** in military.
13. 21 year old, single, female. **Manslaughter 2nd Degree**. Left two-year-old alone who subsequently died in fire. Has two more children. Chemically dependent. Multiple agency involvement.
14. 23 year old, single, male. **Terroristic Threats. Raped ex-girlfriend at knife-point** in her apartment. **16 previous misdemeanor/gross misdemeanor** convictions. Chemical dependency, anti-social, non-cooperative on previous probations.

15. 25 year old, single, male. *Sale Non-Controlled Substance* also one for *Distribution of Cocaine*. *Two prior felonies, four prior misdemeanor convictions*. Multiple probation violations (over ten). Chemically dependent, emotionally disturbed, under skilled/under employed.
16. 45 year old, married, male. *Theft by Swindle and Theft*. Over \$135,000 in restitution. Diagnosis of sociopathic personality.
17. 32 year old, single, male. *Possession With Intent to Sell Cocaine 3rd Degree* and *Possession Cocaine 5th Degree*. Second offense occurred while released pending sentencing on the first. Known priors: one felony, three misdemeanors. Multiple alias and multiple false I.D.s. Physically resisted arrest both times.
18. 30 year old, single, male. *Assault 3rd Degree*. Stabbed brother with knife when brother intervened as defendant assaulted defendant's girlfriend. Marginally M.I., personality disordered. One violation. Family hides him when warrants are active.
19. 35 year old, single, male. *Criminal Sexual Conduct 2nd Degree*. One felony sexual offense prior, two misdemeanor priors. *Sexual Assault of eight and ten year old boys* while working at recreation center.
20. 22 year old, single, male. *Dangerous Discharge of Firearm*. Fired multiple shots at victim sitting in car. Victim not hit by bullets, but severely lacerated by broken glass.
21. 21 year old, single male. *Assault 2nd Degree*. Defendant fired three shots from a sawed off shotgun at people at a party. Extensive juvenile record, including two armed robberies. Known to be an "enforcer" for the Vice Lords.
22. 55 year old, married, male. *Terroristic Threats*. Threatened to shoot wife with pistol. Prior Terroristic Threats (knife to throat of wife) less than one year previously. Also five previous misdemeanors including Reckless Use of Firearm.
23. 23 year old male. *Sale of LSD*. Lengthy history of chemical dependency. Series of prior criminal offenses related to drug abuse. Unemployed and unskilled. Regular urinalysis and job search and several failed C.D. treatment attempts.

24. 27 year old male. ***Criminal Vehicular Manslaughter***. History of alcoholism, maintaining sobriety, attending AA twice per week, weekly probation contacts. Good employment and re-adjusting satisfactorily to community.
25. 33 year old male. ***Criminal Sexual Conduct 5th Degree***. Subject victimized two 13 year old nieces. Successful business. To complete sex offender treatment, no contact with underage women, regular probation contact.
26. 30 year old male. ***Possession of Stolen Property***. Six previous burglary convictions. Currently living in half-way house after serving Workhouse time; outpatient C.D. treatment. Heroin addiction is the underlying issue.
27. 27 year old male. ***Assault 4th Degree*** and ***Careless Driving***. Long criminal and chemical abuse record. Criminally oriented family. Weekly AA; monitoring monthly.
28. 31 year old male. ***Terroristic Threats*** - supervised release. Several Theft and Assault offenses. Absconded from half-way house three weeks out of prison -- presently on warrant.
29. 44 year old male. ***Two Counts of Aggravated Robbery, accomplice to murder*** in 1979. Working two jobs, making a good adjustment on supervision.
30. 34 year old male. ***Burglary 1st Degree*** and ***Criminal Sexual Conduct 2nd Degree***. Sexually assaulted victim while burglarizing home. Recently released from prison.
31. 36 year old male. ***Theft*** and ***Forgery*** - supervised release. Severely chemically dependent (cocaine). Several prior treatments. Three times in prison. Six priors for controlled substances and drug related offenses.
32. 21 year old female. ***Credit Card Fraud***. Victimized an old boyfriend. Overwhelmed by parenting.
33. 26 year old female. ***Retail Theft***. First offense. Regular restitution payment.
34. 27 year old male. ***Possession of Stolen Vehicle*** and ***Possession of Controlled Substance*** and ***Escape***. Long criminal history.

35. 53 year old male. ***Kidnapping***. Alcohol abuse history. Presently in chemical dependency treatment.
36. 44 year old male. ***Extensive Sexual Assault history***. Served expiration of sentence at Stillwater for a previous sex offense. Very dangerous.
37. 35 year old female. ***Theft by Swindle***. Six priors. Four children. Husband in prison, illiterate, chemically dependent, currently law-abiding and chemically free. Weekly drug testing.
38. 27 year old female. ***Offering Forged Check***. Eight priors. Four children in foster placement, chemically dependent, prostitution history.
39. 32 year old female. Four cases; ***Wrongfully Obtaining Public Assistance, Financial Card Transaction Fraud, Acct. Closed Checking, Wrongfully Obtaining Public Assistance*** Ten priors ***Traffic*** and six priors ***Criminal***. Five children. Abused cocaine and history of prostitution. Large amounts of unpaid restitution.
40. 24 year old female. ***Endangerment of a Child***. No priors in Minnesota. Four children, chemically addicted, currently in treatment.
41. 37 year old female. ***Possession of Cocaine***, prior federal conviction of ***Aiding & Abetting Distribution of Cocaine***. Six children, chemically addicted, several failed treatments, currently on warrant.

***Examples From a Current Juvenile Probation Caseload
In Ramsey County***

Juvenile Male

1. 15 year old male - ***Misdemeanor charge of criminal damage to property***, admitted. Claims to be a Disciple gang member for past five years; suspected narcotics dealer.
2. 18 year old male - ***Criminal Sexual First Degree*** against younger sister. Spent over a year in a group home and completed one and one-half years of out-patient treatment for sex offenders.
3. 18 year old male - lengthy history which includes ***Assault in the 2nd Degree, Assault in the 3rd Degree, Financial Card Fraud, Assault in the 5th Degree***, many ***Violations of Probation*** for truancy and running away. Currently on parole status; admitted gang member of the Crips.
4. 18 year old male - ***Misdemeanor charges of Tampering, Disorderly Conduct***, restitution of \$238.
5. 14 year old male - ***Misdemeanor charges of Theft and Criminal Damage to Property***. Family history with the Court, mother chemically dependent on crack who recently completed treatment.
6. 16 year old male - serious ***Felony level offenses of Theft of Motor Vehicle, Possession of a Pistol by a Minor, Assault, Drive-by Shooting, two 5th Degree Assaults and two Misdemeanor Thefts***, two correctional placements of six or more months. Currently in his second placement and doing very well.
7. 17 year old male - interstate supervision from Topeka, Kansas. Suspected gang member; assaultive history.
8. 16 year old male - suspected in a ***Discharge of a Firearm***, shotgun found in home by mother, ***Theft of a Motor Vehicle, Habitual Truant***. Lengthy family history with court system. Brother currently in Oak Park Heights for rape.

9. 16 year old male - first offense, *Possession of a Controlled Substance 5th Degree* - crack. Given six months probation and 30 days in correctional placement.
10. 14 year old male - *Criminal Sex 5th Degree, Possession of a Controlled Substance 5th Degree* - crack cocaine, *Possession of a Pistol*. Latest charge; involved in a shootout near his home. Witnessed his father murdered at the front door of his home at a young age.
11. 18 year old male - *Assault in the 5th Degree*, struck fellow student in head with metal chair, restitution of \$770. History of *runaway*. Current location unknown. Concerned mother. One 30 day correctional placement.
12. 17 year old male - *Sale of a Controlled Substance in the 3rd Degree*. When arrested, rifle was recovered as well. Parents chemically dependent.
13. 18 year old male - lengthy history of *Auto Thefts, Disorderly Conducts, Burglary, Assault in the 2nd Degree*, many *Probation Violations*. Victim of sexual and physical abuse as a child. Very angry and assaultive, feelings of rejection from family. Very poor adjustment to probation and correctional placement.
14. 17 year old male - short history of *Misdemeanor and Felony level Thefts*. Very concerned parents. Underwent treatment for *use and abuse of an inhalant*. Prognosis for sobriety is poor. Intelligent, potential to do well.
15. 17 year old male - history of *Assault Two* which was amended to *Unlawful Discharge of a Firearm*. Shot victim in the head with a BB gun; BB needed to be surgically removed. Also a charge of *Criminal Damage to Property in the 1st Degree and Terroristic Threats*. Owes restitution, and is currently in correctional placement. Lengthy history of problems at school. Currently takes behavior medication three times daily.
16. 18 year old male - currently on supervised release. Lengthy history including *Financial Card Fraud, Assault in the 3rd Degree, Trespassing, Probation Violations*, two charges of *Possession of a Controlled Substance in the 5th Degree* - crack cocaine. Programs used include probation, house arrest, Intensive Truancy Program, Intensive Supervision Program, detention, two 30 day correctional placements, one six month correctional placement in a county-run facility, and one four month placement at a State correctional placement.

17. 18 year old male - lengthy history of *Probation Violations for Runaway, Criminal Sex 2nd Degree, Disorderly Conduct*. Placement at Willow River, Isanti Boys Ranch, Intensive Day Treatment, Brown House, St. Croix Camp, Arlington House, with relatives, probation with Human Services, restitution, Bar Non Ranch. Has taken behavioral meds most of his life, learning disabled, lacks direction. Mother abuses chemicals.
18. 16 year old male - *Criminal Sex 2nd Degree*. Victim was his younger sister. Adopted from Columbia where he was abandoned and rejected by family members; was suspected victim of physical and sexual abuse. Currently in in-patient sex offender treatment. Parents filing for reversal of adoption. Adoptive mother untreated victim of sexual abuse by grandfather.
19. 18 year old male - lengthy history of *Auto Thefts* and *Runaways*, multiple correctional placements.
20. 14 year old male - *Criminal Sex 2nd Degree*, victim is his younger sister. Concerned parents but tend to enable. He appears to be a victim of sexual abuse by an older sister. Currently placed with relatives and is involved with an out-patient sex offender treatment program.
21. 14 year old male - lengthy history including *Possession of Stolen Property* in Fort Wayne, Indiana, *Assault in the 5th Degree, Assault in the 2nd Degree* which involved shooting at another individual, *Possession of a Controlled Substance* - crack. History of *Running Away* and *Truancy*. Completed one of two court ordered long-term correctional placements.
22. 12 year old male - *Assault in the 5th Degree*. Concerned mother, older sister and uncle involved in court system. Most problems are around school and home.
23. 17 year old male - on parole with the State. Lengthy history of *Runaway* and placements at psychiatric treatment facilities which include Willmar State Hospital. Criminal history of runaways, *Simple Assaults, Assault in the 5th Degree, Burglary, Shoplifting*. Victim of physical abuse by mother's boyfriend. Father apparently involved in criminal justice system in Milwaukee and was killed when this client was approximately eight years of age. Has been on many forms of behavior modification medications including Lithium and Prozac.

24. 18 year old male - history of *Truancy, Criminal Sex 1st Degree*; victim was brother. Completed chemical dependency treatment. Was in sex offender treatment for 14 months.

MINNESOTA PROBATION

Appendix D

Description of Minnesota's Three Systems for

Delivering Corrections Services

*Description of Minnesota's Three Systems
for Delivering Corrections Services*

**CCA
COUNTIES**

These are the 30 counties currently participating in the Community Corrections Act. They receive a subsidy from the state and are responsible for developing, implementing and evaluating both traditional and non-traditional local correctional programs. Each of these jurisdictions adopts an annual plan and submits it to the Department of Corrections. These 30 counties comprise nearly 70% of Minnesota's population and at least 75% of the offenders under supervision in the communities. (M.S. 401)

**CPO
COUNTIES**

Of the 57 counties not currently participating in the Community Corrections Act, 35 are referred to as County Probation Officer Counties. In these counties the juvenile and misdemeanor probation officers are employees of the county. Each of these counties receives a subsidy from the state that pays up to one-half of the salaries of these officers. Adult felony probation and supervised release cases in these counties are handled by probation officers employed by the state. (M.S. 260.311)

**STATE
CONTRACT
COUNTIES**

In the remaining 22 counties, the state provides all adult and juvenile services. The counties pay the state for the cost of the juvenile probation officers, per a state and county contract. The state then reimburses these counties up to fifty percent of these costs, just as they do in the 35 CPO counties. (M.S. 260.311)

MINNESOTA PROBATION

Appendix E

Testimony Given From Minnesota Corrections Association Conference

Testimony Given From Statewide Corrections Directors Meeting

Letter from Probation Officer

*Testimony Received From Minnesota Corrections
Association Conference*

October 8, 1992

The Probation Standards Task Force hosted a workshop at MCA's fall conference to hear testimony from corrections professionals. Approximately 90 persons attended the workshop. The following is a summary of comments made.

- ..Need to standardize paperwork across the state to better address case transfers from county to county.
- ..We need to define what probation is. Professionals set limits. We need to inform the public about our limitations.
- ..Much concern expressed about "warehousing" clients on the streets and issues related to field officer safety. The current high caseload numbers increase risk to the public and to staff and makes it difficult, if not impossible, for probation officers to be familiar with the cases assigned to them.
- ..Caseloads have changed due to jail and prison overcrowding. More violent offenders are being placed on probation, and agents have less and less time to work on appropriate interventions and treatment for these clients. Instead, the tendency is to wait for these people to violate probation, be caught, and sent to jail or prison.
- ..Many agents are frustrated that they no longer have the time to do the job they were hired to do. With smaller caseloads, they were able to spend time assisting offenders to deal with the problems which led them into trouble.
- ..When caseloads were smaller, agents tended to feel they could make a difference in the lives of the persons on their caseloads. With larger numbers, the attention to individuals tends to be lost -- the emphasis is on the processing bodies through the system and we are apt to forget that the cases represent human beings with very real problems.

- .. There is no magic caseload number -- it depends on too many variables. Clients are not only in our system but also may be subject to the requirements of other systems.
- .. New programs, such as intermediate sanctions, to solve problems of jail crowding increase demands on agent time in that they must learn how to use these new programs and, many times, provide backup or support services for them.
- .. Having reasonable caseload standards could relieve much of the stress agents are under now. Staff want direction on what their priorities should be because they realize they can't do all that is now demanded of them.
- .. Probation works if agents have enough time to facilitate treatment, act as a positive role model, attend to the needs of clients, etc. Agents want to provide these services, but they need time to do it.

Testimony Received From Statewide Corrections

Directors Meeting

September 28, 1992

A meeting was held of all corrections directors in the state to provide testimony to the Probation Standards Task Force. The following is a summary of the comments made at that meeting.

- ..Define probation: What we can/can't do; given resources.
Who are the customers? Public/Client/Pros/Defense/Court.
- ..Probation departments must be able to determine what the parameters are. Probation is time under jurisdiction of courts and corrections. Probation is a limited resource; must talk about probation capacity.
- ..Expectations of community corrections activities by citizens is different in metro than non-metro.
- ..Cost of specialization in rural areas may be greater than in more concentrated urban centers.
- ..Agents are doing "soup to nuts" in rural areas and this has been their traditional role; PSI, supervision, mediation, restitution, school liaison, juvenile/adult, etc.
- ..Basic information about caseload/workload that is uniform across the state would be helpful; must take into account local systems and identify costs associated with this kind of endeavor.
- ..Need to set standard of good correctional practice and try to identify resources needed to meet those standards. May be as broad a saying: Will supervise felony/person offenders at a more intensive level than misdemeanor property offenders. And further, when resources become constrained, the lower level offenders receive reduced services and contact.

- ..Legislature needs to give jurisdictions some flexibility in determining how to meet broad correctional standards.
- ..Any standards should be developed by region -- bottom up. Question not just of increased funding, but allocation of resources.
- ..Linkage between *Criminal Justice Resource Study* and our Task Force charge. Should be provided at some point.
- ..Must address violent offender impact. Although fiscal resources at state level may be diminished in near term, criminal justice should then take a larger piece of a reduced pie.
- ..There needs to be a mechanism for removing cases from caseloads when conditions have been met so that the case count reflects those offenders who presently require active supervision by an agent.

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OCT 13 1992

COMMUNITY CORRECTIONS DEPT.
RAMSEY COUNTY

October 12, 1992

Ms. Joan Fabian
Probation Standards Task Force
Ramsey County Courthouse
#650 Government Center West
St. Paul, Minnesota 55102

Dear Ms. Fabian:

Thank you for providing the opportunity during the recent Minnesota Corrections Association Conference to address your task force regarding probation standards. I wish to reiterate and clarify a few of my concerns and recommendations.

The two most significant issues, as I see them, are related: caseload size and public safety. I would encourage your task force to address both issues by making a recommendation to reduce caseloads. There was a great deal of talk during the open hearing regarding a "magic number". I do feel that numbers are important. Whether the probation caseload is rural or urban in nature, consists of juveniles, adults, or intensive supervision clients, one commonality exists: an agent with a lower caseload is likely to do more with those individuals under supervision, will see them more frequently, will take pro-active approaches, and in the long run save the administration money by reducing recidivism, reducing revocations, reducing staff stress and turnover and reducing litigation. Conversely, agents with a higher caseload are basically "warehousing" clients on the street. They must cut corners, will be reactive (rather than pro-active), and will save the administration money only in the short run.

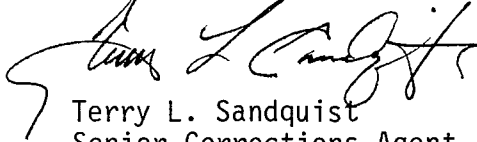
Regardless of the issue of short term or long term savings, the remaining critical issue is public safety. I am familiar with an officer who supervises 285 clients. I would venture that that officer is unable to recall the majority of her clients' names, much less the offenses, the victims, and the treatment needs of those individuals. Even myself, with a caseload of 85, do not recall all pertinent information without the aid of written files until months into the supervision period. An officer who is well informed about the background and current problems of a client is much more likely to make an impact.

My recommendations to the task force are twofold: 1) urge a reduction of caseloads. I believe there are magic numbers out there, but the numbers do vary with the caseload characteristics. For myself, an agent in rural Minnesota with a mixed caseload of juveniles and adults, I feel an ideal caseload would be less than 50 (no more than 15 juveniles and 35 adults). The degree of involvement with other Court services such as pre-sentence investigations, diversion programs, restitution programs, etc. is certainly a consideration in determining the most appropriate caseload size, but even under the best scenario the magic number of no more than 50 strikes me as sound. 2) I would urge the task force to cause a change in how computer records are maintained regarding criminal histories. Currently, 95% of my caseload's

criminal history checks come back as nonexistent. Well over half of these individuals do report charges of assault, possession of firearms, possession of drugs, etc. that are not reflected by the current criminal justice system reporting practices. We are now dependent upon the client to inform us of the counties where he previously has been convicted, so that the agent may telephone each and every county that is noted and request the local Court Administrator's Offices to run individual checks. Not only is this process cumbersome and time consuming, but it depends upon the honesty of the convicts! Certainly, the more serious felony offenses are found without difficulty through computer records. However, it could very easily occur that the prosecuting attorney, the sentencing court and the supervising probation officer all may be unaware of significant previous misdemeanor offenses. As a result, the safety of both the probation officer and the general public are compromised.

Again, thank you for the opportunity to express myself. Good luck to the task force with its endeavors.

Sincerely,



Terry L. Sandquist
Senior Corrections Agent
MN Dept. of Corrections
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Glencoe, MN 55336

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