

M I N U T E S

SPECIAL COMMITTEE ON CORRECTIONS

August 1-3, 1977  
St. Paul, Minnesota

Members Present

Representative Patrick J. Hurley, Chairman  
Senator Paul Hess, Vice-Chairman  
Senator Jim Parrish  
Representative Arthur Douville  
Representative Phil Martin

Advisory Members Present

Dr. Bill Arnold  
Judge Michael Barbara  
Sister Dolores Brinkel  
Bill Larson  
Perry Profit

Staff Present

J. Russell Mills, Jr., Kansas Legislative Research Department  
Marlin Rein, Kansas Legislative Research Department  
James A. Wilson, Revisor of Statutes Office

Others Present

Steve Millstein, Administrative Assistant to the House Majority Leader  
David Barclay, Administrative Assistant to the Senate Majority Leader  
Leo Taylor, Kansas Department of Corrections  
Dr. Alan Steinbach, Citizens' Advisory Board

Conferees

Kenneth F. Schoen, Commissioner, Minnesota Department of Corrections  
Patrick D. McManus, Assistant Commissioner, Minnesota Department of Corrections  
Gene Larimore, Research Analyst, Minnesota Department of Corrections  
Senator Bob Lewis, Senate Finance Committee, Minnesota Legislature  
Representative Ken Nelson, House Corrections Committee, Minnesota Legislature  
Jeff Peterson, Governor's Office  
Rosemary Ahmann, County Commissioner, Olmsted County  
George Christiansen, Chairman, Ramsey County Corrections Advisory Board  
Dick Fritzke, Director of Court Services, Anoka County  
Frank Wood, Warden, Minnesota State Prison

August 1, 1977

The Special Committee on Corrections met at 9:00 a.m. in the conference room of the Minnesota Department of Corrections, 430 Metro Square Building, St. Paul, Minnesota. Assistant Commissioner Patrick D. McManus welcomed the Committee to Minnesota and briefly reviewed the planned itinerary. Mr. McManus discussed the operation of the Minnesota Department of Corrections and presented a summary of the 1973 enactment, the Community Corrections Act (M.S. 401.1-401.16), by which the Commissioner of Corrections is

authorized to make subsidy grants to a county (or group of counties) electing to provide a wide range of correctional services. He stated that there are over 2,000 beds available in Minnesota in halfway houses, group homes, and other community-based facilities. This is a larger number of beds than those available in state correctional institutions. Mr. McManus noted that many of the community-based programs predated the Community Corrections Act. Thus, facilities, resources, and community acceptance of these programs existed prior to the implementation of the act.

In addition to the Minnesota tradition of local governmental control, Mr. McManus identified three trends which led to the development of community-based programs:

1. A 1967 community project begun in Rochester called the PORT project, Probation Offenders Rehabilitation and Treatment.
2. The availability of federal funds under the Law Enforcement Assistance Administration during the 1972-74 period.
3. A tradition of state subsidies for corrections including subsidies for county probation officers (1959), juvenile group homes (1965), and an earlier community corrections center act (1969) which funded programs fashioned after the PORT project.

In the late 1960's, a study effort evolved which resulted, in 1972, in the development by various interest groups of a draft of a community corrections act which addressed three problem areas:

1. The diverse, uncoordinated nature of corrections programs in the state;
2. the absence of a corrections constituency; and
3. the issue of incarceration.

This draft underwent the legislative process and was enacted by the 1973 Minnesota Legislature. An initial appropriation of \$1.5 million was approved to implement the act.

Mr. McManus stated that the Community Corrections Act (CCA) focuses upon the county level; counties which elect to participate must appoint a corrections advisory board and develop a comprehensive local corrections plan that must be approved by the Minnesota State Department of Corrections (DOC). Participating counties then request funding from DOC which, in turn, transmits the requests to the Legislature. He noted that the Department had experienced no difficulty in securing the needed appropriations. While DOC does provide monitoring and technical assistance services, the intent of the act is to place the primary responsibility for operating the corrections program at the local level. He stated that DOC has not noted a need to exert greater regulatory authority over the local units.

In response to a question by Chairman Hurley, Mr. McManus stated that the CCA assumed that some people were being incarcerated who could not have been; that the act also presupposes the support and good faith efforts of the DOC; and that participating counties must choose to make it work, since the primary responsibility lies upon the county to implement its corrections program.

Mr. McManus continued that the key to the success of the CCA at the local level revolves around the efforts of the corrections advisory board, which is composed of local officials. The advisory board must develop a comprehensive plan for approval by the county commissioners and the DOC. Thus, the local officials have great interest in the successful implementation of their plan.

Mr. McManus stated that Minnesota now operates two major adult institutions: the Reformatory at St. Cloud and the State Prison at Stillwater. A new 400-bed maximum security facility is under construction on state-owned land at Stillwater. DOC plans to convert the existing 1,200-bed State Prison into a 200- 300-bed medium security facility once the new prison is operational.

Mr. McManus stated that the existing State Prison is of maximum security status in terms of containment, but lacks the proper internal control features to protect both staff and inmates.

In response to a question by Representative Douville, Mr. McManus stated that no recidivism studies have been completed and that DOC does not believe that recidivism is an accurate measure of the success of the act. He stated that the causes of crime are not directly related to the corrections program.

Under the Community Corrections Act, participating counties assume responsibility for all correctional services. In simplified terms, counties are entitled to a state subsidy for offenders kept in community-based programs. If a county sends juveniles or adult property offenders to state institutions, the county must reimburse the state at the current rate of \$27.60 per day for adults and \$49.50 per day for juveniles. Violent offenders sentenced to imprisonment of five years or more are the state's responsibility. Appropriations for the Community Corrections Act totaled \$1.5 million in 1973; \$7.5 million in 1975; and \$12.8 million in 1977. (Minnesota has annual legislative sessions but appropriates programmatic funding on a biennial basis.) The latter figure covers 30 participating counties which contain 70 percent of the state's population. Mr. McManus estimated that, if all 87 counties in the state participated, annual state costs would be about \$10 million. The state subsidy cannot be used for new construction and at least five percent of the subsidy must be devoted to training, with an additional five percent allocated to information and research activities. The Department of Corrections monitors the quarterly financial statements of participating counties.

In response to a question, Mr. McManus stated that DOC does not maintain a diagnostic center, although most offenders undergo a presentence investigation. It was also noted that Minnesota has mandatory jail standards which are enforced by the DOC.

Following lunch, the Committee toured the Security Unit operated by DOC in Ramsey General Hospital in St. Paul. This is a 14-bed secure treatment facility for inmates requiring in-patient treatment beyond that available at the state correctional institutions.

The Committee was then divided into small groups and each group toured two of the following community-based facilities:

1. Portland House - a PORT project used as an alternative to simple probation, sponsored by the Lutheran Church.
2. Harambee Group Home - a juvenile home for repeat offenders.
3. Alpha House - a therapeutic community which uses peer influence as a treatment mode for adult repeat offenders, especially sex offenders.
4. 180 Degrees - a group home for parolees with histories of chemical dependency, administered by former offenders.
5. Bremer House - a PORT project similar to Portland House, sponsored by a private foundation.
6. Project Remand - a pre-trial diversion project run by Ramsey County.
7. Tri-House - a juvenile group home.
8. Retreat House - a group home for parolees.

August 2, 1977

The Committee met at 9:00 a.m. in the conference room of the Department of Corrections. Mr. Kenneth F. Schoen, Commissioner, Minnesota Department of Corrections, welcomed the Committee and made brief remarks concerning the operation and philosophy of DOC.

Mr. Gene Larimore, DOC research analyst, discussed the community corrections impact study, which is an on-going empirical study, funded by LEAA, of the effects of the Community Corrections Act. Mr. Larimore briefly discussed the methodology of the study and summarized five main conclusions concerning the effects of the act on sentencing patterns:

1. Among participating counties, the proportion of adult district court dispositions involving local sentencing alternatives has increased since the CCA was implemented and the proportion of dispositions involving commitment to a state institution has decreased.

2. The community sentencing alternative in which there has been the greatest increase is probation with local incarceration.
3. The proportion of district court dispositions involving local incarceration has increased in both the participating and the control counties; however, the increase has been greater in participating counties.
4. The volume of district court dispositions has increased in all counties.
5. Among participating counties, juvenile commitments to state institutions as a proportion of juvenile dispositions has decreased sharply.

Mr. Larimore reviewed the relevant statistical data and concluded that the act is having the intended effect with regard to sentencing patterns.

Senator Bob Lewis, Vice-Chairman of the Senate Finance Committee, Representative Ken Nelson, a member of the House Corrections Committee, and Mr. Jeff Peterson, the Governor's legislative liaison for corrections, addressed the Committee. Senator Lewis and Representative Nelson briefly reviewed the legislative history of the Community Corrections Act. Representative Nelson emphasized that the Minnesota tradition of community-based corrections programs, the non-partisan nature of the bill, and the impetus provided by the Department of Corrections were important factors in the relative ease with which the CCA was adopted. Senator Lewis noted that, prior to the CCA, Minnesota statutes placed heavy emphasis upon rehabilitation. Mr. McManus stated that, if the CCA had not been adopted, the state would have probably embarked on a program of new construction; the CCA determined how the state was to allocate its financial resources in corrections. Mr. Peterson noted that DOC has experienced little difficulty in the appropriations process and appears to have many supporters in the Minnesota Legislature. Mr. Peterson also stated that the CCA has proven to be a much cheaper approach than a construction program. Representative Nelson cautioned that the success of the CCA has not yet been established and that further evaluation is necessary to prove the worth of the act. Senator Lewis stated that the CCA probably has not resulted in huge cost savings; the main difference lies in the corrections philosophy embodied in the act. Judge Barbara noted that implementation of a community corrections act in Kansas would necessitate the development of secure containment facilities in many Kansas counties. It was also noted, in response to a question, that DOC plans to convert the Metropolitan Training Center, a juvenile facility, into a 200-bed medium security facility in order to maintain the number of beds systemwide, while reducing the population of the State Prison at Stillwater.

Three county officials, Ms. Rosemary Ahmann, Mr. George Christiansen, and Mr. Dick Fritzke, addressed the Committee and discussed the CCA from the county perspective. Mr. Fritzke, Director of Court Services for Anoka County, noted that the county (population 200,000) has been under the CCA for 18 months; that the CCA permits the county to assess its needs and to develop a program; that the county has reduced its percentage of commitments to state institutions; and that state institutions will always be needed for those offenders who must be separated from society for some period. Ms. Ahmann, a county commissioner in Olmsted County, stressed the role of the local corrections advisory board in developing and implementing a successful community program. She stated that crime is viewed as a local problem and that the most appealing aspects of the CCA, along with local control, are the general guidelines used by DOC. Mr. Christiansen, Chairman of the Ramsey County Corrections Advisory Board, discussed the problem of achieving unanimity on the board, which must discuss and approve all aspects of the local program. He referred to this as a mechanism to force communication. He stated that the greatest need is in the area of planning and the DOC has acted in a supporting role to the county.

Following lunch, the Committee was divided into small groups which toured various community-based programs in Anoka County, Ramsey County, and Hennepin County.

August 3, 1977

The Committee met at 9:00 a.m. at Minnesota State Prison in Stillwater, a maximum security facility built in 1914 with a present capacity of 1,200. Warden Frank Wood led the tour through the facility. Mr. Wood stated that the prison has

an annual budget of about \$13 million, a staff of 380, and a daily census of about 1,000 inmates. He noted that most of the cells contain about 60 square feet, all are one-man cells, and that about 50 inmates are normally in protective custody. The prison also contains a segregation unit with a capacity of 115.

Some 270 inmates are employed in the prison industries at a pay range from a low of \$1.00 per day to a higher of \$4.20 per hour. The prison also leases space to private corporations which employ inmate labor within the walls. Mr. Wood stated that turnover in the corrections officer position approaches 32 percent per year. Mr. Wood also discussed the prison's food service operation, which is contracted to a private firm, and the work/study program which is conducted within the prison.

The meeting was adjourned.

J. Russell Mills, Jr.

Approved by Committee on:

8/26/77  
Date