

MINUTES

SPECIAL COMMITTEE ON CORRECTIONS

August 25-26, 1977

Room 514S, State House

Members Present

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

Advisory Members Present

Dr. Bill Arnold (August 26)  
Judge Michael Barbara (August 26)  
Sister Dolores Brinkel  
Loren Daggett  
Bill Larson  
Perry Profitt (August 25)

Staff Present

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

Conferees

Kenneth F. Schoen, Commissioner, Minnesota Department of Corrections  
Patrick McManus, Assistant Commissioner, Minnesota Department of Corrections  
Bernard Vogelgesang, Director, Department of Court Services, 5th Judicial District, Des Moines, Iowa

August 25, 1977

Morning Session

Chairman Patrick J. Hurley called to meeting to order at 9:00 a.m. and introduced Mr. Kenneth F. Schoen, Commissioner of the Minnesota Department of Corrections (MDOC), and Mr. Patrick McManus, Assistant Commissioner of the Minnesota Department of Corrections. Chairman Hurley expressed his appreciation for the hospitality extended to the Special Committee during its recent visit to Minnesota.

Mr. Schoen provided an overview of the operation of the Minnesota Department of Corrections and the Community Corrections Act. He noted that the mission of the Department was to develop community facilities as much as possible; to strengthen institutions for those offenders who must be incarcerated; and to efficiently administer the resources of the Department. In discussing the Minnesota experience, Commissioner Schoen stated that the state has a population of roughly 4,000,000; that unemployment is usually very low; that few minorities live in the state; that crime rates have been traditionally low; that Minnesota has one of the highest tax rates in the country; and that the state has traditionally placed emphasis on social programs.

Mr. Schoen stated that the Community Corrections Act is the result of a community-based trend which began in 1955 in Minnesota. He noted that the Community Corrections Act requires planning and evaluation of results and is intended to place primary responsibility for offenders upon local officials. He stated that the Community Corrections Act assumes that prison incarceration will be required for some offenders; that crime should be viewed as a problem for the local community; and that when an offender can be shifted to a community center rather than kept in a state institution, the economic and human costs involved are reduced. He stated that no reliable figures on the recidivism rate are currently available, largely because the Community Corrections Act is such a new piece of legislation. The crime rate in Minnesota has decreased but Mr. Schoen did not attribute this decrease to the Community Corrections Act. He did feel that the Act has been responsible for the shift in the proportion of the violent offenders in the state prisons: the inmate population is now 60 percent violent offenders and 40 percent property offenders. Mr. Schoen expressed his belief that prisons serve only as schools for professional criminals. He noted that community-based corrections requires a higher initial cost, but that the operation of community programs is cheaper than incarceration in a state institution. He noted that the Minnesota Department of Corrections is currently developing legislation for restitution as an alternative to fines or prison terms. Mr. Schoen felt that the Community Corrections Act encourages judges to use alternative programs such as restitution or community work orders for less-serious crimes and for juveniles.

Marlin Rein, Kansas Legislative Research Department, briefly discussed a staff memorandum which reviews the budgetary aspects of the Community Corrections Act (Attachment No. 1). Representative Martin asked staff to prepare a more detailed memorandum which illustrates the total costs for corrections institutions in Minnesota and which compares the tax structure in Minnesota and Kansas.

Mr. Schoen then addressed the Committee concerning the role of jail sentences in Minnesota. He noted that in the last five years many judges have made use of jails for weekend or other types of rehabilitative incarceration and programs. He noted that one of the most impressive effects of the Community Corrections Act is that it requires a great deal of planning at the local level by all individuals involved in the criminal justice system.

Mr. Patrick McManus, Assistant Commissioner, Minnesota Department of Corrections, noted that the Community Corrections Act permits the operation of residential programs which are less expensive than the operation of state correctional institutions. He felt that the Community Corrections Act is ultimately aimed at a systemic reform of the criminal justice system. He stated that whether this Act can be adapted to Kansas is a question for the Legislature.

Chairman Hurley noted that community programs had existed in Minnesota for at least a decade prior to the enactment of the Community Corrections Act in 1973. Mr. McManus briefly summarized the Act and stated that, in effect, it is a behavior modification scheme to change the behavior of people providing correctional services. The Act functions to coordinate correctional services at the local level and encourages counties to participate because of the financial advantages of the state subsidy program. Each participating county must appoint a corrections advisory board which must then develop a plan for approval by the Commissioner of Corrections. The Act encourages community correctional services because it contains a financial disincentive for the counties to use state institutions: the counties must pay if they choose to send an offender to a state institution rather than place the offender in a community program. However, the state does pay for institutionalization of violent offenders and those sentenced to a term of more than five years.

Mr. McManus briefly discussed the manner in which the state subsidy is distributed to the participating counties. He noted that the Department of Corrections works with the counties during the development of their master plans, although the Department attempts to emphasize the local ownership of the plan. However, the Department does have statutory authority to approve, disapprove, or require revisions of the local plans. Mr. McManus stated that the Department feels that the local board is in the best position to assess their local need. He also noted that no counties have ever developed irresponsible plans. The Department does provide technical assistance to the counties and 5 percent of the state subsidy must be set aside for training of the local officials involved. He noted that development of the various plans has been a learning process for both the county and the State Department of Corrections. Mr. McManus briefly summarized the formula used in developing the amount of subsidy to be granted to each participating county.

Senator Parrish inquired whether a judge could ignore the county's plan and continue to sentence offenders to state institutions. Mr. McManus replied that the local programs could be jeopardized by the action of judges or local law enforcement personnel who do not agree with the community-based approach. He noted that the local corrections advisory board is the forum for grappling with these types of problems. Mr. McManus stated that by July, 1978, 30 counties in Minnesota which contain more than 70 percent of the state's population will participate in the Community Corrections Act. He noted that the Board of County Commissioners retains ultimate jurisdiction and can veto actions taken by the local corrections advisory board.

Representative Douville inquired how the Act affects the powers of local elected officials. Mr. McManus replied that he believes the Community Corrections Act provides better information on how to deal with crime and that it also places an informal check on their discretion, since the corrections advisory board acts as a buffer between the local officials and their constituency. Mr. McManus briefly discussed the "Community Corrections Program Survey" prepared by his Department and some of the statistical data contained in the survey. (Copies are available in the Legislative Research Department.)

Mr. Larson inquired whether plea bargaining appears to be decreasing in the participating counties. Mr. McManus replied that it does not appear to make any difference in the amount of plea bargaining. He noted that most halfway houses are located in urban areas. He stated that the local judge must make the decision whether to commit an offender to the Department of Corrections or to use probation, a residential program, or some other form of community corrections. Representative Martin inquired whether a participating county could withdraw from the Act. Mr. McManus replied that counties may terminate after giving 90-days notice to the state. In response to a question, Mr. McManus stated that local advisory boards may develop any type correctional program which they desire, as long as it appears to be a rational approach and is related to the county's needs. He also noted that counties may contract with each other for various services and thus avoid duplication.

Senator Hess inquired concerning the role of the Department in encouraging community-based corrections. Commissioner Schoen replied that MDOC plays an active role in developing community facilities and has developed a staff capability to provide technical assistance and public information concerning community-based corrections. Mr. Schoen stated that public safety had not been compromised as a result of community corrections because a large number of people were being incarcerated who did not really require a secure setting. Mr. Schoen stated that public safety must be the primary consideration of any corrections program.

Senator Hess inquired whether the 60 percent violent/40 percent property offender ratio is a desirable goal for state prisons. Mr. Schoen replied that it was not a goal although better alternatives should be developed for property offenders, such as restitution, community work orders, or other community programs.

Mr. Proffit inquired whether the Department of Corrections started the Port Project in Rochester. Mr. Schoen replied that MDOC was not the instigator but that the Project was developed largely by concerned citizens of the community.

Senator Winter asked whether Mr. Schoen would change the Community Corrections Act in any aspect. Mr. Schoen responded that the Act had been proven to be workable, was an easy Act to administer, and that any changes would be small refinements rather than substantive modifications. Mr. Schoen stated that certain changes would be considered to assure that people who did not require incarceration are not sent to state institutions; some changes could be made in the subsidy distribution formula; and that the state and local partnership aspect of the Act appears to be working very well and should not be modified. Mr. McManus stated that one strength of the Act is the fact that counties must elect to participate; they are not required to do so.

Senator Winter inquired how new construction blends with the Community Corrections Act. Mr. Schoen replied that MDOC predicts a peak inmate population of 2,200 by 1985 and a drop in the number of juvenile offenders. Planned construction in Minnesota is to change the configuration of the corrections system rather than to add new beds. Mr. Schoen noted that the Department is currently converting the Minnesota State Prison to a 300-bed medium security prison and has under construction a new 400-bed maximum security prison.

#### Afternoon Session

Chairman Hurley asked Mr. McManus to briefly discuss the various types of corrections programs utilized in Minnesota. Mr. McManus stated that such programs would include youth service bureaus, employment programs for ex-offenders, street-oriented survival programs, juvenile "ma and pa group homes," structured juvenile group homes, PORT projects, halfway houses, and other community corrections facilities.

Representative Douville inquired how clients are screened for the various programs. Mr. McManus stated that those programs which take clients directly from the courts have their own screening process. Ex-offenders are referred by caseworkers at the institutions. He stated that MDOC does not attempt to coordinate the placement of offenders.

Mr. Schoen noted that Minnesota formerly utilized a diagnostic center for juveniles, but abolished the center since there were only a few options for placement.

Sister Brinkel inquired whether presentencing evaluations are required in all cases. Mr. McManus replied that presentence evaluations are not required but are usually done, and that most counties use the standard state form for the presentence investigation.

Sister Brinkel further inquired how the Community Corrections Act affects female offenders. Mr. Schoen replied that the Act itself does not have a direct bearing on the treatment of female offenders. Programs do exist for victims of sexual assault, battered women, juvenile prostitutes, and AA for female offenders. He stated that the percentage of female offenders in the corrections system was very small at this time.

Chairman Hurley asked the conferees to elaborate upon the reports issued by the Minnesota Governor's Crime Commission. Mr. McManus replied that the first report, which was preliminary in nature, was released in May of 1975. This report led to a moratorium on LEAA funding for community-based facilities in Minnesota. A second report was issued in late 1976 and this moratorium was lifted. Mr. Schoen stated that the reports were faulty in that the conclusions contained in the reports were not supported by the findings. Mr. Schoen noted that the Legislature, the Governor, and the Governor's Crime Commission had all rejected the conclusions of the reports.

Chairman Hurley inquired whether the statement that Minnesota had abandoned community corrections was correct. Commissioner Schoen replied that this was not the case and, in fact, the 1977 Minnesota Legislature had extended funding for community corrections from an FY 1977 expenditure of \$6.3 million to an appropriation for the 1978-79 biennium of \$15.6 million.

In response to a question, Mr. McManus stated that the Department of Public Welfare is the general licensing agency for many of the community programs. The Minnesota Department of Corrections is presently considering whether it should have the licensing responsibility for these programs.

Mr. Larson inquired whether any ex-offenders are serving as staff in the community programs. Mr. McManus replied that there are a number of ex-offenders working in facilities with which MDOC contracts for community-based services. He also noted that a restitution center had been in operation in Minneapolis since 1972. He noted that the Department is pursuing avenues to expand the restitution approach.

In response to a question from Senator Hess, Mr. McManus noted that there is a large use of volunteer services at the local level, and some use of volunteers in the institutions and for probation and parole services. He noted that the volunteers were supervised by full-time staff. He stated that family adoption of an ex-offender had not been seriously considered in Minnesota because the concept could lead to numerous problems.

Senator Hess inquired whether the operation of these programs should be a judicial or executive function. Mr. Schoen stated that courts are primarily finders of fact and sentencing authorities. He did not feel that they should operate corrections programs, although the courts should be encouraged to participate in the corrections advisory boards. Mr. Schoen felt that supervision of parolees should be a primary responsibility of local officials.

Senator Winter inquired whether any other jurisdictions were presently operating programs similar to the Minnesota plan. Mr. McManus replied that he was not aware of any other programs, although Oregon and Colorado have passed similar laws. Commissioner Schoen replied that Sweden, Denmark, Norway, and Holland do operate similar programs and that Minnesota has borrowed some features from these programs.

Commissioner Schoen discussed the prison industries experience in Minnesota. He noted that up until ten years ago the industries program made a profit. This is no longer the case given the rising cost of raw materials and increased salaries for the inmates. He stated that a 1973 enactment allows the prison industries to produce any product and sell it to anyone in the state. He stated that prison industries operate in four manners: (1) the prison industries makes the product and sells it on the open market, such as farm implements, garden carts, printing materials, and twine; (2) some materials are sold directly to state agencies, such as license plates; (3) the prison contracts with private industry for various services, such as telephone refurbishing; (4) in some cases private industry moves into the prison, hires prisoners, and pays to lease space within the prison, such as furniture refinishing. In Minnesota, food service at the institutions is contracted to private corporations who in turn hire inmates to work within the prison. Mr. Schoen stated that the prison industries now have a 7-hour work day and that wages vary from 30¢ per day to \$4.50 per hour. The statutes permit the Department of Corrections to assess room and board costs to the inmate and the inmates pay state and federal income taxes.

Senator Parrish asked the conferees to comment on the role of equity and justice in the corrections system. Commissioner Schoen stated that justice must be the central virtue of any corrections system. He felt that the system should be open and said that rules should be equitable and made known to both inmates and staff. He stated that the Corrections Ombudsman in Minnesota was an essential function of the corrections system. Commissioner Schoen noted that inmates in Minnesota have much more access to the news media and to the telephone than in other states, and that few problems have developed because of this. He stated that disciplinary hearings should be an open court type hearing with an opportunity for appeal.

Senator Parrish made reference to a letter from Mr. Charles Decker, Center for Studies in Justice, Incorporated, which states that the Kansas system for handling disciplinary offenses is the best in the United States.

In response to a question, Mr. Schoen replied that farm machinery had been a product of the prison industries for a long period in Minnesota. The farm implements are now sold on the open market and there was no opposition in the Legislature to permitting such sales. Mr. Schoen noted that he utilizes an Advisory Committee for Prison Industries and stated that personnel in private industry could be used as consultants to organize a successful prison industry.

Mr. Schoen briefly discussed the proposed new construction in Minnesota and noted that, if the present plan is implemented, the system will have a minimum capacity of 2,000 inmates. Mr. Schoen stated that he felt a need for more medium-security facilities and that remodeling of Minnesota State Prison should cost about \$10 million.

Chairman Hurley inquired whether the State of Kansas could successfully commit itself to a community-based corrections approach without the full commitment of the Kansas Department of Corrections.

Commissioner Schoen replied that a total commitment by the State Department of Corrections was essential if the program was to succeed.

August 26, 1977

Morning Session

Chairman Hurley called the meeting to order at 9:00 a.m. He introduced Mr. Bernard Vogelgesang, Director, Department of Court Services, 5th Judicial District, Des Moines, Iowa. Mr. Vogelgesang presented a summary of the Des Moines Community Corrections Program. He stated that the program initially began in 1964 as an attempt to enhance the quality of justice, to keep offenders in the community, and to reduce the jail population so that a new jail would not have to be constructed. In 1972 the program was expanded to cover the entire 5th Judicial District (16 counties), and in 1973 the Legislature passed enabling legislation authorizing similar programs in other judicial districts. In 1977 the Iowa Legislature mandated the program throughout the state and appropriated \$6.9 million to implement a statewide community corrections program.

Mr. Vogelgesang stated that the Des Moines program contains four components: (1) Pretrial Release (ROR); (2) Supervised Release; (3) Probation/Presentence Investigation and; (4) a Community Correctional Facility.

The pretrial release component is a typical release-on-own-recognizance program. Under this program approximately 1,800 to 2,000 persons are released on their own recognizance each year. Between 1.5 percent to 3 percent of those released fail to appear at the trial. During the pretrial period, approximately 7 to 8 percent of those released are rearrested for different charges. Mr. Vogelgesang noted that both these figures are lower than for persons released on bond. He also stated that approximately 93 percent of those apprehended are released for trial and, of this number, 83 percent are released on their own recognizance. Mr. Vogelgesang stated that the pretrial release program in Des Moines has reduced the number of bail bondsmen from 7 to 1 in the city. The interview sheets used to select persons suitable for ROR are kept confidential and not released even to the prosecuting attorney, defense attorney, or the judge.

The second component of the program — Supervised Release — is used for those defendants who do not qualify for ROR. Mr. Vogelgesang stated that this type of release is actually a "pretrial probation." If the supervised release staff believes that the defendant can function in this program, he is recommended for release into the custody of the supervised release staff. If the court approves the release, the defendant is assigned a counselor and is given vocational, psychological, and educational evaluations, and a treatment plan is developed. The defendants are usually assigned to special programs for alcoholism, drug treatment, employment counseling, etc. Mr. Vogelgesang stated that the Iowa statutes permit the board of county commissioners to designate any facility as a jail. Thus, these defendants may be assigned to a treatment program although it is classified as a jail for legal purposes. Mr. Vogelgesang stated that this program currently has a staff of 113, approximately 10 of which are ex-offenders.

The third component of the program — Probation/Presentence Investigation — is the most traditional element in the Des Moines program. The presentence investigation function is designed to provide the court with an objective report about the defendant and make recommendations as to which sentencing option appears most appropriate for the defendant. Responsibility for full probation supervision of both felons and misdemeanants was transferred in 1977 to the Department of Court Services.

The fourth component of this program is a Community Correctional Facility which is located in a renovated barracks in Fort Des Moines. This facility is by statute a jail and is used to house sentenced offenders for the duration of their sentence. The facility has a capacity of 53, 85 percent of whom are felony convictions. The program also contains a smaller facility with a capacity of 30 for female felons. The average stay for males is 104 days; for women the average stay is 7 months. The female facility was formerly a sorority house at Drake University and is presently leased by the Department of Court Services. Mr. Vogelgesang stated that, under this legislation, local units can only remodel existing facilities; they are not authorized to purchase or construct new facilities for use as community corrections centers. He stated that the cost of developing these facilities was originally paid by model cities grants and LEAA funding, although the Legislature now has appropriated \$1.7 million to operate the facilities. Mr. Vogelgesang briefly discussed the 1977 legislation which mandated community corrections centers statewide in Iowa.

A member noted that the Kansas correctional facilities are near capacity. He inquired whether a community-based program could be implemented rapidly enough to avoid overcrowding at the existing institutions. Mr. Vogelgesang replied that halfway houses and community corrections centers can be developed quickly, although the retention of adequate staff is an important aspect in the implementation of any program. Mr. Vogelgesang stated that the attitude of the public would be an important factor in determining the speed with which a community-based program could be implemented in Kansas. Chairman Hurley thanked Mr. Vogelgesang for his testimony.

Senator Hess moved that the minutes of the August 1-3, 1977, meeting be approved. Representative Martin seconded the motion. The minutes were approved.

Chairman Hurley stated that the next Committee meeting would be held on September 7 and 8 at which time interested individuals and groups would be allowed to appear. He also stated that the Committee would tour the Kansas State Industrial Reformatory at Hutchinson on September 16. Several members of the Committee expressed the desire to hear testimony from members of the Kansas Adult Authority. Staff was directed to invite the Kansas Adult Authority to attend the September meeting.

The meeting was adjourned.

Prepared by J. Russell Mills, Jr.

Approved by Committee on:

10-14-77  
(Date)

Attachment 7

MEMORANDUM

August 24, 1977

TO: Special Committee on Corrections  
FROM: Kansas Legislative Research Department  
RE: Summary of the Minnesota Visit - A Fiscal Perspective

Following the completion of the formal visit by the Committee to Minnesota, the staff spent the afternoon with representatives of the agency and the staff of the Senate Finance Committee in an effort to obtain a more thorough understanding of the financial base of the programs which the Committee reviewed. This staff report will present the limited staff findings in three separate program areas:

1. Past and present funding of community programs;
2. Analysis of the State Penitentiary budget (Stillwater); and
3. Prison Industries programs.

The time available for the discussions was unfortunately limited, and in some instances information that was desired was not readily available. Given the limited time available for obtaining the data increases the possibility that the data are incomplete or possibly inaccurate.

Support of Community Programs

In reviewing community corrections programs in Minnesota, the obvious assumption is to trace their development to the 1973 passage of the Community Corrections Act. However, the beginnings of such program development preceded the 1973 legislation by some considerable period of time. In this section of the memorandum a brief summary of other efforts is presented although it should not be viewed as a complete and exhaustive summary of other programs.

Community Centers Corrections Act. This program, initiated in 1969, provided discretionary funds to the Department of Corrections for purposes of encouraging the development of residential treatment centers for both juveniles and adults. The Department was granted flexibility in awarding the grants. These funds could be viewed as "seed" funds to encourage program development and were often used to match federal LEAA

Atch. I

to provide a major share of the financial resources in early years of operation of a facility. Recent year expenditures by facility are identified on Attachment I to this memo. Appropriations for the program have generally approximated \$212,000. The FY 1978 appropriation was augmented by the Legislature in the amount of \$150,000 specifically for two residential programs; Nexus and Portland House. The additional funding for one year was provided to ensure continued funding of the two programs pending entry of Hennepin County into the Community Corrections Act.

Community Corrections Act. Of course the principal focus of the Minnesota community-based corrections program is the Community Corrections Act enacted in 1973. The stated purposes of the legislation were the following:

1. To transfer responsibility for correctional services for all but serious offenders to local units of government;
2. To reduce commitments to state adult penal facilities and juvenile training schools through financial assistance designed to induce the development of additional sentencing alternatives at the local level;
3. To improve coordination among criminal justice components at the local level; and
4. To promote the development of comprehensive corrections planning at the local level.

This memo will not review in any depth how the program works but is limited to the analysis of the fiscal elements of the program. Past expenditures for recent years are as follows:

FY 1975	\$1,517,000
FY 1976	2,200,000
FY 1977 (Est.)	6,300,000

The approved budget for the 1978-79 biennium was \$15,637,000. The continuing and rapid growth in program costs is attributed to additional counties coming under the act. The major factor contributing to the increase in funding for the current biennium is planned participation of Hennepin County (Minneapolis) on January 1, 1978. The agency master plan projects expenditures for FY 1981 at \$11.8 million after deduction of charges to the counties for institutional use. This projected expenditure level assumes participation in the program by a substantial number of additional counties.



Regional Jail and Detention Subsidy Act. In 1971, the state initiated a program of operational and maintenance subsidies for regional jails. The original act also provided state subsidies for construction. The construction subsidies were rescinded by legislative action in 1973. The operational subsidies are based upon the average daily population multiplied by \$450 for adult and \$800 for juvenile facilities. Reimbursement is limited to regional facilities housing offenders from two or more counties. The program costs will diminish as more counties come under the Community Corrections Act. The following summarizes recent year expenditures:

FY 1976	\$227,000
1974-75 Biennium	753,000
1972-73 Biennium	405,000

The 1978-79 biennium budget includes \$19,500 for each year.

Juvenile Judges Group Foster Home Program. In 1969 a program was initiated to stimulate development of group homes in smaller counties. Under the act, the state reimbursed 50 percent of county funds expanded for the care of a youth, not to exceed \$150 per month. Costs covered by other federal and state aids were not reimbursable. Expenditures during the period of FY 1972-76 ranged from a high of \$217,000 in FY 1973 to a low of \$102,000 in FY 1975. The decreasing expenditures is attributed to counties coming under the Community Corrections Act no longer being eligible for the program. The sum of \$100,000 was approved for both FY 1978 and FY 1979.

Purchase of Service Contracts. The Department of Corrections also contracts for services from a number of local residential programs. The nature of the contracts appears to vary but generally provides for payment on a per diem basis for placement by the state of inmates into the residential programs. The appropriation for FY 1978 totals \$632,362. Many of the facilities that the state contracts with were originally financially supported through grants provided under the Community Corrections Center Act.

State-Operated Local Programs. For the current biennium the Department is continuing operation of two local programs. Anishinabe Longhouse was initiated in 1973 initially with LEAA funding. The program has a capacity of 15 and is designed specifically to serve entirely native Americans, staffed by native Americans, and using native American culture as the primary method of treatment. The FY 1978 budget is \$157,300.

The second program is the Re-Entry - Work Release Center located in North Minneapolis at the Salvation Army Men's Social Service Center. Space is leased to accommodate a capacity of 28. The FY 1978 approved budget is \$269,000.

Summary of Community Programs. The following summarizes the staff's analysis of the present biennial budget for community program costs:

-Block Grants to Residential Programs	\$ 574,412
-Contracts with Local Residential Programs	1,305,618
-Support for County Probation Services	2,493,000
-Juvenile Group Homes	200,000
-Community Corrections Act	15,637,400
-State-Operated Community Programs	862,221
-Other Special Programs Operated by the State	589,375
-Hennepin County Workhouse	350,000
-Victims' Crisis Centers	750,000
-Jail Subsidy	39,000
TOTAL	<u>\$22,801,026</u>

### State Penitentiary

The State of Minnesota has experienced a somewhat similar trend in inmate population as has Kansas. The following summarizes actual and estimated average daily adult inmate populations for FY 1973-79:

FY 1973	1,363 Actual
FY 1974	1,234 Actual
FY 1975	1,451 Actual
FY 1976	1,639 Actual
FY 1977	1,655 Estimated
FY 1978	1,775 Estimated
FY 1979	1,835 Estimated

The State Penitentiary has a capacity of 1,000 plus an additional 75 in an outside minimum security dormitory. On the day of the Committee visit the inmate population was 985. The similarities in the size of the institution with the Kansas State Penitentiary prompted several Committee members to inquire for a comparison of budgets between the two institutions. The staff was unable to obtain upon short notice sufficient budget detail to permit a detailed and accurate comparison between the budgets of the two institutions. In the State of Minnesota budget some costs, notably hospital medical costs, training costs, and selected educational costs are contained within the central office budget. Such costs are routinely funded within the Kansas State Penitentiary budget. Should the Committee desire the staff to pursue in greater detail the budget comparison, without doubt the areas of difference could be sorted out and the budgets analyzed on a comparable basis. Such a review would likely require a second trip to Minnesota.

Again, recognizing the fact that the budget amounts are not exactly comparable, the following is presented as some measure of the relative budgets. Prison industries expenditures are excluded.

	<u>Minnesota Penitentiary</u>	<u>Kansas Penitentiary</u>
Total All Funds	\$11,323,000	\$ 7,182,509
State General Fund	9,978,000	6,777,952

The Minnesota Penitentiary was authorized 451 positions which number the staff was advised includes employees working in the industries. The Kansas Penitentiary was approved a staffing complement of 377.5

Staff did request the agency to furnish the number of correctional officers and was advised that 254 positions were authorized. The Kansas Penitentiary was authorized 245 correctional officers and correctional counselors.

Salaries of Correctional Officers. Staff did obtain salary data on correctional officer classifications for purpose of making a comparison. The following compares authorized salary ranges for FY 1978:

Minnesota

Correctional Counselor I	\$10,728 - \$11,460
Correctional Counselor II	11,820 - 14,928
Correctional Counselor III	12,648 - 15,888
Correctional Counselor IV	15,300 - 20,940
Correctional Sergeant	11,460 - 14,448
Correctional Lieutenant	15,300 - 20,940
Correctional Captain	17,196 - 23,532

Kansas

Correctional Officer I	\$ 8,256 - \$10,416
Correctional Officer II	9,060 - 11,400
Correctional Supervisor I	9,924 - 12,480
Correctional Supervisor II	10,896 - 13,692
Correctional Supervisor III	12,480 - 15,744

It should also be noted that in Minnesota staff are permitted additional compensation as a shift differential. Apparently the shift differential for shifts beginning or ending between the hours of 7:00 p.m. and 5:59 a.m. is \$.15 per hour.

On its visit, the Committee will recall it was advised that correctional officer turnover approximated 30 percent per year.

Staff was also advised that in Minnesota there is no mandatory annual training requirement. New correctional counselors must undergo a six-week academy training course at Lionel Lakes. Officers in training are not budgeted in the institutional budget as in Kansas but are funded for this period in the Central Office budget.

Prison Industries

The Committee had the opportunity to view the industries program at the Stillwater Penitentiary. The farm implement fabrication operation was most unusual in that the Prison Industries were manufacturing and marketing their own, though limited, line of equipment for sale to the private sector. Likewise the employment of nine inmates at a salary of \$4 per hour doing computer programming for a private concern within the institution was also a unique and intriguing operation.

Discussion with financial personnel of the Department revealed that most prison industries operations are located at the Penitentiary. They likened the various programs at the Reformatory to vocational training programs rather than "pure" prison industries. The one exception is the license plate factory which employs 58 inmates.

The Committee attempted to ascertain the extent to which the prison industries were realizing a profit from their operations. It was generally reported to the Committee that operation was "about breaking even." The significant investment in equipment in the farm machinery operation was largely acquired years ago through surplus property and donations. In reviewing the financial picture of the Prison Industries with financial officers of the Department, staff was advised that it was impossible to assess the financial picture due to incomplete and inconsistent financial reporting. Illustrations of the problem is the present practice of reporting as a sale any farm equipment assigned to an implement dealer on consignment. Obviously recording a sale when the equipment is shipped to a dealer can distort the true financial picture. It is reported that the implement dealers in Minnesota are presently holding equipment valued at \$2,000,000.

The Legislature has also provided some direct subsidization to Prison Industries. In FY 1976, a loan of \$1,350,000 was provided from the State General Fund. Direct appropriations of \$1,250,000 were approved for the current biennium. It is the staff's understanding that the noted loan was forgiven without repayment. Two explanations for the financial problems in the farm machinery program were inefficient labor and the inability to buy steel in sufficient quantity to keep the price competitive.

The Committee was advised of a recent effort to strengthen administratively the Prison Industries program. Apparently a large computer manufacturing firm has loaned the services of a staff person to serve as an operations and marketing manager for the Industries.

Bus Renovation Plant. The 1977 Legislature appropriated \$200,000 for FY 1978 and \$216,000 for FY 1979 to institute a bus renovation program for repair of local school buses. It is interpreted that the State General Funds are for initial equipment and start-up costs. Legislative intent was to repair 50 school buses per year. Local school districts would be billed for the costs of renovation.

DEPARTMENT OF CORRECTIONS  
 ANALYSIS OF COMMUNITY CORRECTIONS CENTERS ACT  
 F.Y. 1973 - F.Y. 1979

CORRECTIONAL CENTER	ACTUAL	ACTUAL	ACTUAL	ESTIMATE	APPROPRIATION	
	F.Y. 74	F.Y. 75	F.Y. 76	F.Y. 77	F.Y. 78	F.Y. 79
Port Olmsted	\$ 59,605	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Port Crow Wing	33,783	7,125	-0-	-0-	-0-	-0-
180 Degrees	23,440	17,838	-0-	-0-	-0-	-0-
Nexus	42,430	20,933	21,861	37,000	85,000	-0-
Retreat House	14,750	-0-	-0-	-0-	-0-	-0-
Goodhue/Wabasha	24,644	33,735	24,667	24,000	-0-	-0-
Portland House	24,841	23,525	28,623	33,000	65,000	-0-
Expeditions	23,720	-0-	-0-	-0-	-0-	-0-
Leach Lake Youth Lodge	-0-	81,751	74,581	69,500	70,000	70,000
N.W. Juv. Training Center	-0-	93,146	-0-	49,000	125,400	125,400
Hillcrest House	-0-	84,124	28,146	-0-	-0-	-0-
West Cent. Corr. Ctr., Moorhead	-0-	-0-	-0-	-0-	9,600	9,600
N.W. Reg. Corr. Ctr., Crookston	-0-	-0-	-0-	-0-	7,206	7,206
<b>TOTAL</b>	<u>\$247,133</u>	<u>\$362,177</u>	<u>\$177,878</u>	<u>\$212,500</u>	<u>\$362,206</u>	<u>\$212,206</u>