

Probation Services Delivery System Recommendation

April 2016

Prepared By:

Steele County

Laura Elvebak, County Administrator

Tim Schammel, Interim Probation Services Director

Recommendation:

Make a transition from a County Probation Office delivery system to a Community Corrections Act delivery system effective July 1, 2017.

Background Summary:

In June 2014, the counties of Dodge, Steele and Waseca reviewed the current Probation (also referred to as “Court Services”) Services delivery systems. At the time, Steele and Waseca were organized as separate County Probation Office (CPO) counties and Dodge was part of the Dodge, Fillmore, Olmsted Community Corrections (CPO) system. The three counties have a long and proven record of collaboration in an effort to provide services in a cost-effective, yet with local, personalized delivery. At the time, due to a variety of factors, the counties decided against any change to their delivery of probation services. The Steele County Board of Commissioners directed staff to continue the exploration of a transition to a community corrections act county for a possible decision in June 2016¹. Waseca County continued to contract with Steele County for Director services and a joint Drug Court was established between the two counties. In July 2015, representatives from Waseca County expressed interest in continuing discussions on a joint powers agreement and the Community Corrections Act delivery of services². Due to staff transitions, staff was asked to initiate the conversation starting in the winter of 2016.

In March 2016, representatives from the Minnesota Association of Community Corrections Act Counties (CCA) participated in a Steele County work session, including representatives from Waseca County. Following the work session, County Administrator Elvebak and Interim Probation Services Director Schammel met with various stakeholders to discuss the challenges and opportunities with the delivery systems. Discussions also took place in various Committee meetings. Elvebak and Schammel were requested to request and prepare a recommendation of key department heads and Judges of the Steele County Court. In addition, it was requested that a recommendation be provided as to the timeline to make a transition, if appropriate.

The meeting attendees have provided a recommendation with the intention of Board discussion at the April 26, 2016 meeting. A final decision is not required until June 30, 2016.

Steele County Stakeholder Meeting:

On April 11, 2016, the following individuals met and discussed a recommendation:

- Laura Elvebak, County Administrator
- Tim Schammel, Interim Probation Services Director
- Dan McIntosh, County Attorney
- Lon Thiele, County Sheriff
- Cathy Piepho, County Treasurer

¹ A county must provide notification to the Commissioner of the MN Department of Corrections no later than July of any even-numbered year to be in the correct funding category of the next biennial budget to begin July of the next odd-numbered year.

² To establish a CCA structure, counties must have a population of 30,000 or a combination of counties with an aggregate population of 30,000 per Minn. Stat. §401.02, subd. 1.

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- Julie Johnson, Human Resources Director
 - John Glynn, County Commissioner
 - Honorable Joseph Buelte, Steele County District Court Judge

Comments from the Conversation:

Attendees viewed the following as benefits of a delivery change to CCA:

- Ability to have a focus on best practices and a consistent use of the best practices among both felony and non-felony levels.
- While an annual report and/or comprehensive plan is an option within a CPO system, the accountability that comes with it being a requirement of the CCA system had value.
- Already established partnerships and program coordination would be supportive in the transition and the creation of a different delivery system.
- The innovative culture in Steele County, including Drug Court and Truancy Court could be enhanced by having more ability to allocate resources at a local level.
- Similar processes and procedures with felony and non-felony level supervision. An example would be the format and detail of information provided to the Court and Attorney's.
- Improved accountability to elected officials and county citizens.
- Promotion of coordinated county wide planning, communication, and continuity of services.
- Delivery of supervision and services to all offenders residing in Steele County by one department enhances efficiencies, eliminates duplication of services & public confusion.
- A citizen advisory board required by CCA ensures input and oversight on policy and practices
- A solidified funding mechanism that assures we are paid our allocated formula money ahead of the fiscal period contrary to a delayed scattered form of receiving reimbursement.

Challenges with the Current Delivery of Services:

- There are no specific MN Department of Corrections (DOC) service delivery concerns of the individual DOC employees. In fact, the DOC Regional Directors were found to have worked with the Court and Probation Services to re-allocate resources, as available.
- The inability of the DOC to be responsive and adaptable to local needs due to the organizational bureaucracy and lack of funding at a local DOC field office. The result is higher than best practice recommended caseloads and inability to have a consistent specialized delivery of services within the evidenced based model. For example, the

dedication of a DOC drug court staff member was long, and only recently became a full-time dedication.

- A previous lack of transparency in the CPO reimbursement process. Until recently, the process was not clearly defined and lacked consistency and reliance on quantitative data in application of CPO designated positions. While a recently implemented structure/process has been developed, it is cumbersome and time-consuming. The CCA formula has clearly defined measures and while funding levels may vary, it is more reflective of the community need versus the number of employees. In addition, the current funding levels of CPO counties is lacking and trending down. Minnesota statutes provided for a 50% reimbursement and most current figures reflect closer to 29% reimbursement.

Challenges

In the event, Steele County would make the determination to transition to a Community Corrections Act (CCA), the following are identified as challenges or suggestions to support a smooth and effective change in delivery system.

- A co-location of staff is beneficial in creating a “team” environment. Space use is an already identified challenge and would remain. It is possible that staff could be re-assigned locations to assure that those who need more immediate access to the court or downtown would be located at the courthouse. Additional attention would be necessary to keep employees engaged and as part of one organization.
- It is critical that employees’ wages, terms and conditions of employment be established to maintain current employees and attract high-quality applicants. Once an organizational structure designed, it is important to provide information on the wages and terms to afford employees the opportunity to have clarity. It is recommended that any wage adjustments be consistent with not only internal comparisons, but external as well. The ability to obtain and maintain qualified and experienced staff is critical to the success of probation delivery in Steele County, regardless of the system.
- A lack of response and/or timeliness in data request responses from the DOC. This has made it difficult to prepare a comparison of costs and for potential planning purposes. The success of the transition, program design, staffing, and implementation is dependent upon the DOC being an engaged partner in the process. As noted in the presentation at Waseca County by the DOC, all three delivery systems have similar goals and outcomes.
- An inability to clearly define the number of additional staff potentially requested to provide for a consistent delivery system among the felony and non-felony caseloads. It is believed to be a minimum of 2, but potentially more, to bring caseloads to a best practices level and consistent with current County caseload levels.
- Identify a management team early in the process to facilitate the transition and maintain employee resources and morale.

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- The collaboration with Waseca County and the shared Director. If Waseca County determines to remain a CPO County, it would be suggested that the agreement be terminated and the Director position be allocated completely to Steele County.
 - Regardless of the decision of Waseca County, the arrangement for the Steele Waseca Drug Court would need to be reviewed and assured a sound fiscal, operational, and personnel agreement is in place for continued growth and responsiveness to the partners.
 - Potential increase in budget/cost allocated to the county. If the service levels and caseloads were to be maintained throughout the transition, there would be minimal, if any, increase to the tax levy. If, as recommended, caseloads would be provided in alignment with evidence-based practice standards, there will be additional staff and management required. An outcome of the increase in focus at the probation level would be a decrease/cost avoidance in expenditures to other departments, such as the Sheriff's Office, Attorney's Office, Human Services and the ability to have individuals as productive and contributing members of the County.

Conclusion

At the conclusion of the meeting, attendees determined that the recommendation of a transition to a CCA delivery system was most appropriate for Steele County. In addition, attendees believed it would be reasonable to plan for a conversion in 2017.

It was also stressed that in the event of a transition, it will be critical to be thoughtful in the planning of the transition, the delivery of services and care and communication of current and potential Steele County and MN DOC staff.