Community Supervision Advisory Committee Charter and Operating Procedures

As of July 31, 2024

Purpose

In 2021 The Council of State Government (CSG) assessed all three delivery systems and developed a series of recommendations to better align services for supervision in Minnesota. In those recommendations, CSG recommended that the Legislature create a statewide, interagency task force that includes representatives from community-based service providers, victim advocacy, and formerly incarcerated or supervised individuals to oversee the development and implementation of those recommendations. In 2023, the Legislature directed the Commissioner of Corrections to establish the Community Supervision Advisory Committee "to develop and make recommendations to the commissioner on standards for probation, supervised release, and community supervision." (Minn. Stat. § 401.17).

The purpose of the Community Supervision Advisory Committee (here after referred to as "CSAC") is to:

- Develop and provide policy recommendations to the Commissioner of Corrections on standards for probation, supervised release, and community supervision.
- Review and reassess the current workload study and make recommendations to the commissioner based on the CSAC's review.
- Support the commissioner in the standardization and collection of data for inclusion in the annual report required in Minn. Stat. § 401.17, subd. 5.
- Develop and provide recommendations for key metrics to assess the effectiveness of community supervision policies.
- Provide advice and recommendations on other community supervision topics.

Additionally, other committees related to community supervision report to CSAC to provide policy recommendations. CSAC has an obligation to discuss these recommendations, support those based on evidence-based practices that are achievable and feasible at a statewide scale, advise other committees as needed, and create a baseline understanding of practices and procedures for community supervision across the state.

Membership

CSAC currently consists of 23 members with representation across all aspects and geography of the state's community supervision system as follows:

- Two directors appointed by the Minnesota Association of Community Corrections Act Counties;
- Two probation directors appointed by the Minnesota Association of County Probation Officers;
- Three county commissioner representatives appointed by the Association of Minnesota Counties;
- Two behavioral health, treatment, or programming providers who work directly with individuals on correctional supervision, one appointed by the Department of Corrections and one appointed by the Minnesota Association of County Social Service Administrators;
- Two representatives appointed by the Minnesota Indian Affairs Council;
- Two commissioner-appointed representatives from the Department of Corrections;
- The chair of the statewide Evidence-Based Practice Advisory Committee;
- Three individuals who have been supervised, either individually or collectively, under each of the state's three community supervision delivery systems appointed by the commissioner in consultation with the Minnesota Association of County Probation Officers and the Minnesota Association of Community Corrections Act Counties;
- An advocate for victims of crimes appointed by the commissioner;
- A representative from a community-based research or advocacy entity appointed by the commissioner;
- Two judicial representatives, one from the seven-county metropolitan area and one from greater Minnesota, appointed by the Minnesota Judicial Council;
- One prosecutor appointed by the Minnesota County Attorneys Association; and
- One defense attorney appointed by the Minnesota State Public Defender.

When an appointing authority selects an individual for membership on CSAC, the authority must make reasonable efforts to reflect geographic diversity and to appoint qualified members of protected groups, as defined under Minn. Stat. § 43A.02, subdivision 33.

Terms and Limits

Section 1: Appointment and Tenure

- Members of CSAC shall be appointed to serve a fixed term of four years (Minn. Stat. § 15.059, subdivision 2) unless the appointing authority determines that shorter terms are appropriate.
- No member shall serve more than two consecutive terms. However, a member may be reappointed after a lapse of one year following the completion of their second term.
- In the event of a mid-term vacancy, a new member may be appointed to serve the remainder of the term and shall be eligible for reappointment for up to two additional full terms.

Section 2: Exceptions

- The commissioner may provide exceptions to these term limits in extraordinary circumstances and when it serves the best interest of CSAC's mission. Such exceptions shall be submitted in writing and approved by three-fourths of the remaining membership.

- To mitigate the loss of institutional knowledge and experienced members, not more than one-third of CSAC members' terms shall expire in the same year. Adjustments to terms may be made at the discretion of the commissioner to ensure adherence to this practice.

Section 3: Attendance Requirements

- Consistent participation of all members is critical to the function of CSAC. Any member who fails to attend three consecutive meetings may be asked to relinquish their seat unless there are extenuating circumstances accepted by the co-chairs.

Section 4: Co-chair Designation

- CSAC will have three co-chairs, each designated by and representing one of the three community supervision delivery systems.
- The co-chair role may be terminated by a two-thirds vote of CSAC members if they are found not to fulfill the responsibilities of their role effectively.

Section 5: Resignation and Removal

- A member may resign at any time by giving written notice to the co-chairs of CSAC. The resignation is effective upon receipt by the co-chairs, unless a later time is specified in the notice.
- A member may be removed by the appointing authority for reasons that include, but are not limited to non-compliance with attendance requirements, failure to perform duties, or misconduct.
- A member appointed to fill a vacancy created by a removal or resignation will serve for the remainder of the term of the member being replaced.

Section 6: Orientation

Orientation will be provided to new members by the co-chairs no later than one week before their first meeting. To ensure the transfer of institutional knowledge, outgoing appointed members are encouraged to provide orientation and guidance to incoming members during the transition period.

Additional training may be provided based on emerging best practices or gaps of knowledge within CSAC. Examples of subjects may include but are not limited to implicit bias, conflict resolution, and emerging community supervision practices.

Operating Procedures

Section 1: Meetings

- CSAC shall meet monthly, with additional meetings scheduled as needed to address urgent matters.
- Meetings may be held in-person or through a combination of both in-person and online platforms, as determined by the co-chairs.

- Meeting agendas shall be developed by the co-chairs in consultation with the planning subcommittee and distributed to members at least one working day (and preferably one week) in advance of the meeting.

Section 2: General Decision-making

- CSAC shall strive to make decisions by consensus. If consensus cannot be reached, decisions may be made by a simple majority vote of members present.
- Voting will only take place if a quorum (a simple majority) is present. If there are 23 members, quorum is present with 112 members.
- All votes are conducted by roll call, so each member's vote can be identified and recorded in accordance with Minn. Stat. sec. 13D.015; electronic voting will typically be conducted to streamline the process.
- Each member shall have one vote, regardless of their affiliation or role on CSAC.
- There is no voting by proxy.
- Members can choose to abstain from a vote.

Section 3: Policymaking

- Statewide policies that set standards for probation, supervised release, and community supervision must be reviewed by CSAC.
- CSAC may initiate policymaking by assigning a topic to a subcommittee or member, or it may review existing policies during their annual cycle.
- Upon review, CSAC will determine whether the policy is ready to move forward for formal action or whether additional work is needed. If CSAC determines that additional work is needed, it shall provide specific feedback and direction to the subcommittee or member that brought the policy forward.
- If the policy appears to be ready to move forward for formal action, CSAC will place the topic on the next agenda to allow an opportunity for members to circulate the proposed language to their constituents for final review and feedback.
- CSAC may take action at the next meeting or, if significant feedback is brought forward, request that the subcommittee or member make additional revisions based on the feedback received.
- Any CSAC member may call the question and request a vote if the policy goes through this full cycle more than two times.

Section 3: Open Meeting Law Compliance

CSAC shall adhere to Minnesota's Open Meeting Law (Minn. Stat. §§ 13D.01 to 13D.09) in all its proceedings and activities including, but not limited to:

- All CSAC meetings shall be open to the public, except as provided by law for closed sessions.
- Notice of all CSAC meetings shall be provided to the public in accordance with the requirements of the Open Meeting Law, including posting notice of meetings in advance and making agendas and meeting materials available to the public.
- CSAC shall maintain accurate and timely meeting minutes, which shall be made available to the public in accordance with the Open Meeting Law.
- CSAC shall conduct all votes in compliance with Open Meeting Law, including roll call votes for identification and recording of each member's vote.

- Any materials distributed to CSAC members during meetings shall be made available to the public upon request, in accordance with Open Meeting Law.
- CSAC shall ensure that all decisions, recommendations, and actions taken during meetings are conducted in accordance with the requirements of the Open Meeting Law to promote transparency and accountability.
- CSAC shall maintain open communication channels with the public, including through CSAC's webpage, to provide information on meeting schedules, agendas, minutes, and other relevant documents.

Section 4: Compensation and Expense Reimbursement

A non-state member carrying out their responsibilities may be compensated at the rate of $55/day, when authorized by CSAC, plus expenses as authorized in MN Statute § 15.0575, Subd 3. The following constitutes a day spent on CSAC business or activities applicable for reimbursement:

1. Full attendance at a CSAC meeting, whether online or in person.
2. Attendance at up to four additional subcommittee meetings outside of regularly scheduled CSAC meetings.
3. Working on a request to review recommendations or reports created by CSAC.

Members who, because of time spent attending CSAC meetings, incur childcare expenses that would not otherwise have been incurred, may be reimbursed for those expenses upon approval.

State employees or employees of political subdivisions must not receive the daily compensation for activities that occur during working hours for which they are compensated by the state. However, an individual may receive the daily payment if they use vacation time or compensatory time accumulated in accordance with a collective bargaining agreement or compensation plan for CSAC or workgroup activity.

Section 5: Subcommittees

- CSAC may establish subcommittees to address specific issues or tasks. Subcommittees must include at least one member from CSAC and may include non-committee members with relevant expertise.
- Subcommittees shall report back to CSAC on their findings and recommendations.
- There shall be a standing CSAC planning subcommittee, led by the co-chairs. This subcommittee shall always include representatives from the three delivery systems and may include any other members of CSAC, so long as the total number is below quorum. This subcommittee shall meet at least one time before each CSAC meeting to help design the agenda and next steps.

Section 6: Amendments

- These operating procedures may be amended by a two-thirds vote of CSAC members present at a meeting where a quorum is present.
- Proposed amendments shall be distributed to all members at least one week in advance of the meeting.

Committee Agreements

Committee agreements are guidelines for behavior and interaction. Committee agreements are a tool to create an inclusive, participatory space and to foster shared accountability.

1. **Co-create space together:** Each CSAC member will take responsibility for helping co-create a respectful and inclusive space where everyone feels welcome to contribute fully.
2. **Reflect on personal biases:** Each CSAC member will actively reflect on their own biases and work to minimize the impact of these biases on committee member interactions and decision-making processes.
3. **Clear communication:** CSAC members will communicate openly and honestly, seeking clarity in their messages.
4. **Active listening:** CSAC members will allow others to express their views without interruption, demonstrating empathy and understanding. Members will ask clarifying questions as necessary to understand the comments of others.
5. **Equitable participation:** CSAC members will be mindful of their participation patterns, ensuring they are not dominating discussions or holding back from contributing.
6. **Shared leadership:** Recognizing the influence of hierarchical and organizational power structures, CSAC members will create an environment where all voices, regardless of rank or affiliation, are equally valued and heard. It is imperative that all members engage with the awareness that their position may impact others intentionally or unintentionally and thereby work to promote a culture of balanced influence and mutual respect.
7. **Constructive conflict:** CSAC members will make genuine efforts to find common ground and identify shared goals and interests, focusing on mutually beneficial solutions.
8. **Community perspectives:** CSAC members will ensure that decisions made are inclusive of community perspectives, not just their own personal views, respecting the principle of, “Nothing about us, without us, is for us.”

Responsibilities

Section 1: CSAC Members

In accepting their role on t, members are expected to:

1. Attend all CSAC meetings.
2. Serve on subcommittees as requested.
3. Prepare for active participation in discussions and decision-making by reviewing meeting materials in advance.
4. Seek to understand opinions, perspectives, and lived experiences of others.
5. Proactively engage and communicate with others who are invested in the work of CSAC, including staff, community partners, and if applicable, the nominating association or council.
6. Review and provide feedback on the agendas, meeting notes, and other documents when requested.
7. Abide by Committee Agreements.

Section 2: Co-Chairs

In accepting their role, co-chairs are expected to uphold all committee member responsibilities as well as the following additional responsibilities:

1. Plan and facilitate all planning subcommittee meetings.
2. Schedule all CSAC meetings.
3. Secure meeting location including in-person and online meeting options.
4. Ensure CSAC meetings engage all participants effectively.
5. Ensure compliance with Minnesota's Open Meeting Law.
6. Ensure compliance with Minn. Stat. § 401.17

Section 3: Commissioner

CSAC will submit a report to the Commissioner at least once annually outlining the work of the previous year. CSAC may request advice and direction from the Commissioner or make non-policy recommendations in areas related to CSAC's work, and if so, the Commissioner will respond within 45 days of receiving the request or recommendations.

CSAC may submit new and amended policy recommendations at any time, and such policy will be reviewed for enactment in accord with the DOC's regular policy processes.

