Probation Funding Formula

Association *of* Minnesota Counties

2023 Process and Legislative Changes

Workload Study Research Questions

Authors:

American Probation and Parole Association

Abt Associates: Walter Campbell, Colleen Bogucki

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(1) How much time do agents spend on client-based activity within a week? How much time do agents spend on administrative activities? How does this differ by supervision type and by geographic area?

(2) How is agent time divided among the various client-based activities? How is agent time divided among the various administrative activities?

(3) What proportion of time client-based time is spent on activities that promote rehabilitation and help advance a particular client's case? What proportion of administrative time is spent on activities that generally promote rehabilitation among clients?

(4) On average, how much time is spent on each activity? How can this be used to understand the ideal agent caseload?

Workload Study Findings

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(1) Agents spend about two-thirds of their time on client-based activities. This varies by supervision type.

(2) Client-based time represents a wide range of activities, but contacts and chronos are the most common use of this time.

(3) Leave and answering emails, managing one's calendar, and making calls represent a large share of administrative time.

(4) Agents spend about 40% of their client-based time and 10% of their administrative time on activities that promote rehabilitation.

(5) Current caseload sizes are similar to the recommendations calculated using this data. Travel time for home visits is the limiting factor for caseload size

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Funding Principles

- Equitable across 87 counties regardless of delivery system
- Funds base level services within individual jurisdictions
- Allows for county choice and individualization
- Stable funding from year to year
- Increase evidenced based practices across the state including cultural diversity
- Agreeable to all three delivery systems
- Address inadequate funding
- Multiple ways of funding across delivery system the CCA formula versus 50%

Formula Basics

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1. **Base Funding**
   - $150,000
2. **Capitated Rate**
   - Risk level
   - Case load size
   - FTE requirements
   - Administrative Rate
3. **Apply capitated Rate**
   - All Felony Cases
   - 50% of Gross Misdemeanor/ Misdemeanor/Juvenile cases

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Base Funding or Floor

A base level of investment in each county and tribe.

Creates a stable base that can be tied to inflation and is not dependent solely on case numbers.

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Administrative Rate

Data collected from a sample of counties CCA, CPO and DOC:

- Range $1.9 to $8.1
- Average $3.4 when outliers removed
- Negotiated rate - $2.0

Examples of expenses included in the administrative rate:

- Office space for supervision
- Utilities
- Support staff
- IT/data
- Vehicle costs
- Equipment/Supplies

Estimated Distribution of Risk Level in Client Population

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Data in Minnesota is difficult to collect because of different screening tools and practices.

Recommendations Considered:

- DOC data from nationwide estimates
- Data collected from Statewide Supervision System
- Limited data collection from counties

The AMC Community Supervision Workgroup Practitioner Subcommittee determined the best educated assumption of risk distribution to be:

- High Risk - 20%
- Medium Risk - 30%
- Low Risk - 50%

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What Does Risk Level Mean?

A risk assessment is used across various stages of the legal process to assess an individual's risk of reoffending and identify areas for intervention.

Risk level determines the intensity of community supervision.

A client's assessed risk level generally correlates to contact standards and can change throughout that person's supervision term.

Example of Contact Standards

- Very High - Weekly contact
- High Risk - Two contacts per month
- Medium risk - One contact per month
- Low Risk - One contact every 3 months
- Administrative - Annual contact or only via paper contact.

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Case Load Size Recommendations

Recommendations Considered:

- BJA/APPA 2011 Study
- APPA Workload Study Recommendations
- Oregon model
- Average of three above

Model	Avg of Others	BJA/APPA 2011	Oregon model	Avg. Range from Workload Study
High Risk Caseload	25	20	35	19
Med. Risk Caseload	51	50	60	37
Low Risk Caseload	176	200	200	103

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Using Risk & Caseload to Determine FTE

Probation Pop.	High	Medium	Low	Total
	20%	30%	50%	
Probation Population	17,543	26,315	43,858	87,716
Caseload Recommendations	35	60	200	
Pop/Caseload Size	17,543/35	26,315/60	43,858/200	
FTE Requirement	501	439	219	**1,159**

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Using FTE to Determine Capitated Rate

		Total
FTE Requirement	1,159	
Avg. Salary	$100,000	
Cost to Fully Fund FTE	1159*$100,000	$115,900,000
Cost per client per day	$115,900,000 / 87,716 / 365 =	**$3.62**

Capitated Rate

Capitated rate applied to all felony probation and supervised release cases

- ((FTE Requitement for High +Medium + Low) * $100,000) / Probation Population/ 365 = Capitated Rate

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GM/Juvenile Distribution

For gross misdemeanors, misdemeanors, and juvenile delinquency, the State has historically been required to provide a 50% reimbursement to counties. To achieve this in the formula, the same capitated rate will be used, but will only be distributed for 50% of non-felony cases.

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The Formula

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Base | Felony Supervision | GMJ Supervision | Felony Administration | GMJ Administration

$$\text{Annual Appropriation} = B + ((R_C * P_F * 365) + (R_C * P_{GMJ} * 365 * 0.5)) + ((R_A * P_F * 365) + (R_A * P_{GMJ} * 365 * 0.5))$$

B = Base

R_C = Capitated Rate (Supervision)

R_A = Admin Rate (Administration)

P_F = Felony Population

P_{GMJ} = Gross Misdemeanor, Misdemeanor, and Juvenile Population

CSAC's Role

- Update capitated rate every biennium
- Review and reassess the current workload study and make recommendations to the commissioner based on the committee's review
  - Capitated rate adjustment
  - Workload study parameters

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