

# Performance Targets Report Fiscal Year 2012



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## Introduction

Minnesota Statutes, section 241.016 requires the Minnesota Department of Corrections (DOC) to submit a performance targets report by August 31 of each odd-numbered year. The report shall list and describe the performance measures and targets the department will include in the biennial performance report.

The measures and targets must include a budget target for the next two years and a history of the department's performance for the previous five years. At a minimum, the report must include measures and targets for the data and information regarding per diem, statistics, inmate programming, and recidivism, and:

- 1) Average statutory per diem for adult, female, and juvenile offenders;
- 2) DOC field services;
- 3) Staffing and salaries for both department divisions and institutions;
- 4) Use of private and local institutions to house persons committed to the commissioner;
- 5) Cost of inmate health and dental care;
- 6) Implementation and use of corrections best practices; and
- 7) The Challenge Incarceration Program (CIP).

# **Section I**

## **Department of Corrections Mission and Strategic Plan**

The DOC updated its mission and strategic plan in July 2009 to better reflect its key role in public safety. As a part of the update, new goals, performance measures, and targets were identified.

### **Our Mission**

To contribute to a safer Minnesota  
by providing core correctional care, changing offender  
behavior, holding offenders accountable,  
and restoring justice for victims.

### **Our Vision**

FOCUS on reducing risk

### **Our dedicated staff will accomplish this by**

- F**ostering community partnerships
- O**ptimizing best practices
- C**reating a respectful diverse culture
- U**tilizing effective communication
- S**trategic and efficient use of resources

## Goals, Measures, and Targets

### **Mission Goal: Providing core correctional care**

Objectives for this goal address the delivery of a safe, secure, and humane environment for offenders and staff.

<i>Measures</i>	<i>Target</i>
a. Percentage of escapes from secure facilities	0%
b. Percent reduction in staff assaults	1%
c. Percent reduction in inmate assaults	1%
d. Percent reduction in staff injury rate	1%
e. Percentage of inmates assigned	85%
f. Accuracy in offender risk assessment completion	88%

### **Mission Goal: Changing Offender Behavior**

Objectives for this goal address preparing offenders for successful reentry into the community as well as ensuring access to needed resources.

<i>Measures</i>	<i>Target</i>
a. Number of offenders admitted to: <sup>1</sup>	
1) Educational programs	8,500
2) Chemical dependency treatment programs	1,100
3) Sex offender treatment programs	200
b. Program success rates:	
1) Percent change in functioning level for offenders participating in all educational programs	40%
2) Percent change in functioning level for offenders participating in Basic Skills	39%
3) Percent change in functioning level for offenders participating in English as a Second Language (ESL)	50%
4) Percentage of offenders completing chemical dependency treatment programs <sup>2</sup>	74%
5) Percentage of offenders completing sex offender treatment programs <sup>2</sup>	58%
c. Release planning participation:	
1) Number of offenders completing pre-release classes	3,300
2) Number of state photo identification/driver license applications processed	1,200
d. Recidivism:	
1) Percentage of offenders convicted of a new felony	36%
2) Percentage of offenders reincarcerated for a new felony	25%

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<sup>1</sup> The measure “Number of offenders admitted to the Minnesota Comprehensive Offender Reentry Plan (MCORP)” was removed for this report cycle as the MCORP pilot program concluded on June 30, 2011, prior to the beginning of FY12.

<sup>2</sup> The target for this goal is to increase the completion rate by five percent each biennium. The target listed is for FY12 and represents a five percent increase from the FY10 completion rate.

### **Mission Goal: Holding Offenders Accountable**

Objectives for this goal address the fulfillment of court-ordered or statutory offender obligations as well as appropriate offender behavior.

<i>Measures</i>	<i>Target</i>
a. Program success rates:	
1) Percent change in functioning level for offenders participating in all educational programs	40%
2) Percent change in functioning level for offenders participating in Basic Skills	39%
3) Percent change in functioning level for offenders participating in English as a Second Language (ESL)	50%
4) Percentage of offenders completing chemical dependency treatment programs	74%
5) Percentage of offenders completing sex offender treatment programs	58%
b. Percentage of restitution paid by discharge from supervision <sup>3</sup>	63%
c. Percentage of escapes from secure facilities	0%
d. Percentage of fugitive level 3 sex offenders apprehended within 72 hours	93%
e. Percentage of offenders on Intensive Supervised Release (ISR) convicted of a new felony while under supervision	2%

### **Mission Goal: Restoring Justice for Victims**

Objectives for this goal address providing restoration to individual victims as well as to the overall community.

<i>Measures</i>	<i>Target</i>
a. Percentage of restitution paid by discharge from supervision <sup>3</sup>	63%
b. Increase victim awareness of victim/offender restorative opportunities <sup>4</sup>	establish baseline
c. Reduce response time for victim notification	50%
d. Number of Sentencing to Service (STS) offender hours worked	900,000
e. Number of STS jail days saved	48,000
f. Cost savings of STS jail days saved	\$2,640,000
g. Value of labor of STS work completed	\$5,400,000

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<sup>3</sup> Restitution data are collected for offenders on felony-level probation or supervised release with DOC agents. Effective July 1, 2009, any portion of restitution not paid by the due date established by the court may be referred for collection in accordance with Minnesota Statutes, section 480.15, subdivision 10c. Restitution collected through a revenue recapture process is not reflected in the data collected by the department at this time.

<sup>4</sup> The measure was changed to clarify that the intent is to address victim *awareness* of restorative opportunities. Implementation of MNCHOICE, a web-based notification system, in 2010 was a critical first step in this endeavor: When victims request notification through MNCHOICE, the system informs them of available restorative opportunities and allows them to select the programs in which they would like to participate. The DOC has applied for a grant to expand MNCHOICE in FY12, and a baseline will be established once the outcome of the grant application process is known.

## Section II

### Statutorily Required Department Statistics

#### A. Budget Target and Performance History

DOC budget amounts for FY07 through FY10 are based on actual general fund expenditures. Projected budget amounts are based on anticipated general fund expenditures.

**Table 1: Actual and Projected Agency Budget by Fiscal Year (\$1 = 1,000)**

Actual FY07	Actual FY08	Actual FY09	Actual FY10 <sup>5</sup>	Actual FY11 <sup>6</sup>	Projected FY12	Projected FY13	Projected FY14
\$434,839	\$452,273	\$475,696	\$454,740	Tbd	\$456,133	\$457,142	\$457,142

FY12 and FY13 projected budgets are based on the Laws of 2011, 1<sup>st</sup> Special Session. FY14 budget is based on FY13.

#### B. Operational Per Diem

The DOC’s operational per diem is calculated in a manner relatively consistent with that used by many other states. It includes general fund expenditures directly related to incarcerating offenders including facility management, security, food, clothing and linens, treatment and educational programming, and medical and behavioral health. This per diem is often used to compare costs between DOC facilities and other states. The average adult operational per diem was \$86.14 for FY07, \$89.77 for FY08, \$89.54 for FY09, and \$83.95 for FY10. The projected adult operational per diem is \$86.95 for FY12 and \$87.05 for FY13, based on the Laws of 2011, 1<sup>st</sup> Special Session and projected offender population increases.

#### C. Annual Statistics

Until the development of the strategic plan, the DOC published yearly performance statistics that were meant to show performance in relation to the general goal of providing a “safe, secure, humane environment for staff and offenders.” The DOC continues to integrate the strategic plan and performance statistics, and much of the information that used to be reported as performance statistics has been incorporated into the strategic plan. Therefore, this section of the *2012 Performance Report* only includes information on adult and juvenile discipline convictions, facility capacity and population, information on the percentage of idle offenders, and MINNCOR’s operating statistics.

<sup>5</sup> FY10 includes \$38 million of one-time federal stabilization funds legislatively appropriated to supplant the general fund budget.

<sup>6</sup> FY11 budget and per diem information cannot be finalized until October, but will be reported in the *2012 Performance Report*.

## **D. Prison-Based Mental Health Programs**

The department provides a range of services to address the mental health needs of offenders, ranging from self-help groups and professional interventions for brief illnesses to residential-level services for acute episodes of chronic illnesses or the ongoing management of these illnesses. Mental health programs and services are available at all correctional facilities and include:

- Assessment
- Self-help and informal groups
- Outpatient mental health services
- Mental health release planning for offenders with serious and persistent mental illnesses (SPMI)

Additional services are provided at some facilities:

- Supportive living services (SLS) programs
- Residential-level mental health services

The *2012 Performance Report* will provide updated reporting and analysis on mental health program availability, assessment and treatment activity, offender participation, and completion rates.

## **E. Recidivism**

Recidivism is a return to prior behavior. For prisoners, recidivism reporting can include new criminal offenses they may commit following their release to the community as well as returns to prison for violating the conditions of their release.

Recidivism is a statistic for which no single agency can take full credit or blame as many of the factors that impact recidivism are outside agency control. Overall, economic health of the state or region, availability of local social services and support structure (including housing and employment), family support, and offender willingness to change criminal thinking and behavior are some of the variables that impact recidivism.

For the agency's Performance Report, however, recidivism is measured as 1) a reconviction for a felony-level offense and 2) a return to prison for a new felony-level conviction. For both measures, recidivism is calculated based on a three-year follow-up period after release from prison. Data obtained from the Bureau of Criminal Apprehension's official criminal history records are used to determine the presence of new felony convictions (e.g., felony reconviction rate). Data from the DOC's Correctional Operations Management System (COMS) are used to determine the presence of reincarcerations for felony convictions.



**Table 2: Three-Year Actual and Projected<sup>7</sup> Adult Recidivism Rates<sup>8</sup>**

Fiscal Year (Release Year)	FY05 (2002)	FY06 (2003)	FY07 (2004)	FY08 (2005)	FY09 (2006)	Projected FY10	Projected FY11	Projected FY12	Projected FY13
Reconviction with new felony	36%	36%	36%	37%	37%	36%	36%	35%	35%
Reconviction and reincarceration	25%	26%	25%	26%	26%	25%	25%	24%	24%

Minnesota Statutes, section 241.016 directs the department to alternate its recidivism reporting schedule and provide three-year recidivism reports in the following areas: adult facilities, juvenile services, and the community services division. Juvenile recidivism rates will be reported in the *2012 Performance Report*.

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<sup>7</sup> This report's projected recidivism assumes that the impact of the Minnesota Comprehensive Offender Reentry Program (MCORP) and other enhanced release planning efforts will not be realized until FY10 and FY11.

<sup>8</sup> Recidivism rates are based on a three-year follow-up period. For example, FY09 rates are for offenders released from prison in calendar year 2006.

## **Section III**

### **Other Statutorily-Required Department Information**

Section III contains the required additional reporting by the DOC on measures and targets for the following areas:

- 1) Average statutory per diem for adult, female, and juvenile offenders;
- 2) DOC field services;
- 3) Staffing and salaries for both department divisions and institutions;
- 4) Use of private and local institutions to house persons committed to the commissioner;
- 5) Cost of inmate health and dental care;
- 6) Implementation and use of corrections best practices; and
- 7) The Challenge Incarceration Program (CIP).

#### **A. Average Statutory Per Diem for Adult, Female, and Juvenile Offenders<sup>9</sup>**

Minnesota Statutes, section 241.018 requires the DOC to develop a uniform method to calculate an average department-wide per diem for incarcerating offenders at adult state correctional facilities. This per diem must factor in capital costs and 65 percent of the department's management services budget. As reported in the most recent DOC performance report, the average adult statutory per diem for FY10 was \$103.09.<sup>10</sup>

#### **B. DOC Field Services**

DOC field services provide one of the three probation delivery systems in Minnesota. The probation, parole, and supervised release activity of field services provides direct services to adult felons and some gross misdemeanor offenders in 55 counties that are not organized under the Community Corrections Act (CCA).

In these 55 counties, 197 corrections agents managed by 14 supervisors provide correctional oversight to 19,727 adult and juvenile offenders as of December 31, 2010. Field services also provide adult misdemeanants and juvenile services in 28 of the 55 counties through contract agreements with these counties (Minnesota Statutes, section 244.19).

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<sup>9</sup> Statutory language only requires statutory per diem calculation for adult facilities. As such, the DOC has not calculated or reported on a juvenile statutory per diem. The average adult statutory per diem reported includes male and female offenders.

<sup>10</sup> The per diem reported here is based on the legislative definition and does not match the per diem cost reported in other DOC publications. This definition is not consistent with the national definition originally used by *The Corrections Yearbook*. Publication of *The Yearbook* was discontinued in 2005 due to difficulties in standardizing definitions across state departments of corrections.

**Table 3: DOC Field Services Offender Numbers**

	December 2006	December 2007	December 2008	December 2009	December 2010
Probation	17,762	18,378	19,078	18,539	18,225
Supervised Release/Parole	1,217	1,754	1,896	2,020	1,502
Total DOC Supervised	18,979	20,132	20,974	20,559	19,727

Corrections agents ensure public protection and compliance with court-ordered sanctions through correctional supervision of offenders. They also provide the court with a variety of investigation services. Corrections agent responsibilities include:

Functions

- |                                    |  |
|------------------------------------|--|
| Client contacts                    | Progress reports                                       |
| Violation reports                  | Jail credit reports                                    |
| Court appearances                  | Transporting offenders                                 |
| Program monitoring                 | Community work services                                |
| Restitution services               | Victim impact statements                               |
| Neighborhood impact statements     | Notify school district if sex offender is bus driver   |
| Predatory offender registration    | Specialized training requirements                      |
| Intensive supervised release       | Victim services and notifications                      |
| Family court notifications         | Child custody and visitation services                  |
| Truancy supervision                | Extended Juvenile Jurisdiction studies and supervision |
| Pre-trial supervision              | Diversion  |
| Fingerprinting offenders           | Challenge Incarceration Program supervision            |
| Supervision fees                   | Electronic and GPS supervision                         |
| DHS notification                   | Community sex offender notification meetings           |
| Short-term offender management     | Drug courts  |
| School adjudication notice         | Cognitive thinking and offender education groups       |
| Sex offender group co-facilitation |  |

Screenings, Assessments, Testing

- |                          |                          |
|--------------------------|--------------------------|
| Risk assessments         | Gambling assessments     |
| DNA testing              | Sex offender assessments |
| Chemical assessments     | Drug and alcohol testing |
| Mental health screenings |                          |

Investigation, Studies

- |                                   |  |
|-----------------------------------|--|
| Pre-plea worksheets               | Presentence investigations             |
| Sentencing guidelines worksheets  | Transfer investigations                |
| Prison pre-release investigations | Certification studies                  |
| Fine determination                | Bail evaluations                       |
| Out-of-home placement studies     | Life sentence community investigations |

### C. Staffing and Salaries for Department Divisions and Institutions

Actual FTEs for FY07-10 were taken from the biennial budget system and are displayed in Table 4. The results use a calculation based on dividing total hours paid by the annual work hours in the fiscal year. Projected FTE's for FY12-14, also displayed in Table 4, reflect total anticipated FTEs needed to operate the agency based on current operations. They do not reflect adjustments that may occur each fiscal year for vacancies or additional staffing needed if capital bonding requests are approved.

**Table 4: Actual and Projected Agency FTEs by Division**

FTEs by Division	Actual FY07	Actual FY08	Actual FY09	Actual FY10 <sup>11</sup>	Actual FY11 <sup>12</sup>	Projected FY12	Projected FY13	Projected FY14
Correctional Institutions	3,181.7	3,217.9	3,260.3	3,254.1	tbd	3,385.5	3,385.5	3,385.5
Community Services	387.5	409.8	428.6	389.8	tbd	392.7	392.7	392.7
Operations Support	169.5	174.5	172.7	220.1	tbd	250.4	250.4	250.4
Total	3,738.7	3,802.2	3,861.6	3,864.0	tbd	4,028.6	4,028.6	4,028.6

**Table 5: Actual and Projected Agency Salary by Division (\$1 = 1,000)**

Salaries by Division	Actual FY07	Actual FY08	Actual FY09	Actual FY10	Actual FY11 <sup>13</sup>	Projected FY12	Projected FY13	Projected FY14
Correctional Institutions	\$206,310	\$222,433	\$237,070	\$231,048	tbd	\$240,070	\$241,079	\$241,079
Community Services	\$24,870	\$27,739	\$30,460	\$28,158	tbd	\$28,174	\$28,174	\$28,174
Operations Support	\$12,974	\$14,129	\$14,129	\$18,064	tbd	\$19,299	\$19,299	\$19,299
Total	\$244,154	\$264,301	\$281,659	\$277,270	tbd	\$287,543	\$288,552	\$288,522

FY12 and FY13 projected salaries are based on the Laws of 2011, 1<sup>st</sup> Special Session. FY14 per diem is based on FY13 projections.

<sup>11</sup> FTEs for correctional institutions reflect the population expansion at MCF-Faribault while the increase in operations support reflects the budget realignments necessary to centralize financial services and employee development (similar to other support services such as human resources and information technology that were centralized prior to FY07). Operations support actually *eliminated* 24.2 FTEs between FY09 and FY10.

<sup>12</sup> FY11 FTE information cannot be finalized until October but will be reported in the *2012 Performance Report*.

<sup>13</sup> FY11 salary budget data cannot be finalized until October but will be reported in the *2012 Performance Report*.

**D. Use of Private and Local Institutions to House Persons Committed to the Commissioner**

The DOC rents beds from private and local facilities based on bed space needs. The average annual daily population for offenders committed to the commissioner but housed in private and local institutions is shown in Table 6.<sup>14</sup>

**Table 6: Actual and Projected<sup>15</sup> Private/Local Institution Use**

Actual FY07	Actual FY08	Actual FY09	Actual FY10	Actual FY11	Projected FY12	Projected FY13	Projected FY14
1,088	1,249	774	271	65	4	11	108

**E. Cost of Inmate Health and Dental Care**

**Table 7: Actual and Projected Agency Inmate Health and Dental Care Cost (\$1 = 1,000)<sup>16</sup>**

Actual FY07	Actual FY08	Actual FY09	Actual FY10	Actual FY11	Projected FY12	Projected FY13	Projected FY14
\$35,340	\$38,401	\$41,972	\$43,226	Tbd	\$47,700	\$47,700	\$47,700

FY12 and FY13 projected budgets are based on laws in place as of August 2011. FY14 projections are based on the FY13 budget.

**F. Implementation and Use of Corrections Best Practices**

Evidence-based practices (EBP) in corrections are a series of practices demonstrated through hundreds of research studies to reduce crime. Research and measurement are the cornerstones of EBP. When implemented with a high degree of fidelity, the use of EBP reduces recidivism in a cost-effective manner.

Corrections EBPs include: measurement and classification of offenders through the use of validated risk and need assessments; use of motivational interviewing; development of a dynamic case plan; utilization of cognitive/behavioral programming and other proven interventions; and measurement of the effectiveness of the interventions offered.

Across all three delivery systems and in DOC facilities, Minnesota has made significant progress in the implementation of a number of EBPs:

<sup>14</sup> The private prison that was used by the DOC to house inmates committed to the commissioner was closed in January 2010. All beds rented, actual and projected, after this date are in Minnesota county jails.

<sup>15</sup> The projected use of private and local institutions is based on population projections completed by the DOC in October 2010.

<sup>16</sup> The cost of inmate health and dental care does not include mental health or treatment costs.

- Minnesota incarcerates only the most serious offenders (49<sup>th</sup> lowest incarceration rate per capita) while using community supervision for the vast majority of offenders, a best practice laid out in the Pew Report.<sup>17</sup>
- All DOC field services and most counties in Minnesota use a validated, reliable risk/needs pre-screen and, when appropriate, the full assessment tool (the Youth Level of Service Inventory for juveniles and the Level of Service Inventory-Revised for adult offenders) to determine an offender's risk of reoffending, identify offenders' criminogenic needs, and assign offenders to the appropriate level of supervision.
- All DOC field agents are trained in the use of motivational interviewing, which helps understand an offender's ambivalence toward change, motivates offenders to make changes, and leads to development of the case plan.
- All DOC field agents are required to develop dynamic case plans with high-risk offenders that follow offenders through their supervision.
- Many DOC field agents are trained facilitators in the use of a cognitive-behavioral curriculum, "Thinking for a Change." Research shows that cognitive-behavioral curricula reduce recidivism with higher-risk offenders. Agents screen higher risk offenders and appropriately refer them to participate in cognitive-behavioral programming, such as "Thinking for a Change."
- All DOC agents use a variety of graduated sanctions in holding offenders accountable and helping offenders to change.
- Caseload size within the DOC is driven by workload study methodology from the National Institute of Corrections.
- The DOC currently emphasizes conducting EBPs with fidelity through a system of quality assurance that includes training, booster training, peer and supervisory review, and proficiency testing.

In addition, the DOC is piloting a series of promising reentry practices that occur in three phases: the incarceration phase with reentry planning that starts at intake; a transition phase that focuses on release planning; and the community phase where supervision is focused on connecting the offender to needed services in the community.

A full report on the implementation of EBPs in Minnesota was reported to the legislature in 2011.

The DOC began other improvement efforts in 2005 by beginning implementation of continuous improvement (Lean) activities. This was with the realization that there were opportunities for improvement in operations. As a state agency, it is imperative that quality programs be provided in an efficient and effective manner. In order to do this, the DOC must be strategic and use resources efficiently. Using Lean methods provides a common approach to process evaluation; links process-improvement efforts to the strategic plan; and provides tools for staff to map, measure, analyze, improve, and redesign processes. In addition, it allows staff to define the most critical parts of processes and work cooperatively with management to create solutions to pressing problems.

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<sup>17</sup> PEW Center on the States. *One in 31: The Long Range of Corrections*. March 2009

Since 2005, the DOC has trained more than 200 staff in various continuous improvement methods. To date, 56 projects have been completed all providing for improved work flows and efficiencies.

The agency continues to reap the benefits of continuous improvement and as employees are trained there is great excitement and enthusiasm for the projects. Once staff receive training and learn the process improvement tools, they are ready to implement the changes immediately. Many staff also begin to use the tools in their individual work areas and start thinking differently about how to accomplish tasks and processes.

**G. Challenge Incarceration Program**

The DOC began the Challenge Incarceration Program (CIP) for male offenders in 1992 and for female offenders in 1993. CIP is an alternative to long-term incarceration that saves prison beds and money by providing early release to adult offenders who complete an 18-month program (6 months at the boot camp and 12 months on intensive supervised release). Offenders must meet certain statutory criteria for admission to CIP.

**Table 8: Actual and Projected<sup>18</sup> Use of the Challenge Incarceration Program**

	Actual FY07	Actual FY08	Actual FY09	Actual FY10	Actual FY11	Projected FY12	Projected FY13	Projected FY14
Number of CIP beds	112	186	186	204	210	210	210	210
Average daily population	111	138	125	184	200	205	205	205

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<sup>18</sup> The projected average daily CIP population is based on 98 percent operating capacity.