

DRAFT

Community Supervision Advisory Committee

Workload Study Design Committee In and Out of Scope Designation

Purpose: This document is intended to provide a scope of work for the workload study and workload tasks. Further, for the potential inclusion of the studied tasks to be included for the calculation of community supervision funding. The following are a list of criminal cases and tasks that CSAC deems in-scope of this study and those cases and tasks that will be out of scope for this workload study:

IN SCOPE

- Adult and juvenile felony cases
- Adult and juvenile gross misdemeanor cases
- Adult and juvenile misdemeanor cases and related tasks with the exception of non-DWI traffic cases (this is a departure from the 2023 formula)
- Pre-sentence/Pre-dispositional investigations (Minn. Stat. § 609.115, requires PSI's on all felonies and provides the ability to do so on misdemeanors and gross misdemeanors)
- Pretrial Bail Evaluations (Pretrial bail evaluations are required by the "local corrections department or its designee" on crimes of violence defined in section 624.712, Subd 5, a violation of section 609.3458, a gross misdemeanor violation of section 609.224 or 609.2242, or a nonfelony violation of section 518B.01, 609.2231, 609.3451, 609.748, or 609.749.)

OUT OF SCOPE

- Diversion or deferral from prosecution cases

Rationale: Minn. Stat. § 401.065 and Minn. Stat. § 628.69 provide authority and mandates to prosecutors for deferral of prosecution. It is not required of supervision agencies to provide this service. Some counties do not provide diversion supervision. Diversions are not funded under the current formula. This is currently outside of what the legislature has agreed to fund.

- Pre-trial supervision

Rationale: There is a wide range and involvement in pre-trial supervision. While some counties have a robust pre-trial supervision program, others provide less supervision. Some counties contract with outside organizations for their pre-trial supervision while others do all the supervision in-house. Further, there is no agreed upon scope of pre-trial supervision standards. Finally, pre-trial supervision is not currently included in the funding formula calculation. If pre-trial supervision was included where it once was not included, it would add further inequities and be disruptive to the current funding levels. This is currently outside of what the legislature has agreed to fund.