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Senate

State of Minnesota

February 29, 2016

Re: Prison Population Reform Proposal Letter

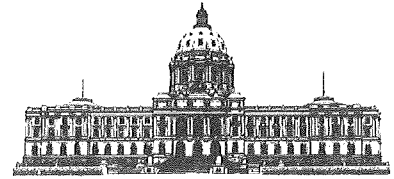
To Co-Chairs Senator Latz, Representative Cornish and all participants in the informally convened Prison Population Task Force:

Please accept this letter as my observations and suggestions regarding the above.

With the large number of stakeholders at the table, the number of topics raised and the limited amount of time we had, I do not feel we should take a definitive position on any ideas proffered without formal bills being offered and in depth consideration made as to each bill. I, therefore, offer the following topics which I feel merit full consideration by the legislature in the upcoming and future sessions.

1. Police Crises Intervention Training; Law enforcement is likely to be the first agency contacted in the event of a crises. For the protection of the general public and the individual involved in the crises situation, it would seem appropriate that police be adequately trained to address a situation that could be considered a crisis, but has not yet escalated to the point of a criminal offense.
2. Mental Health Treatment in lieu of arrest and jail; We have repeatedly been told by law enforcement and, frankly, common sense dictates that we must create a way to properly address the needs of the mentally ill other than using our county jails as holding cells for those who need medical treatment. I believe this will be a difficult, but achievable goal, will reduce the demand for bed space, and will be directly impacted by number 1 above.
3. Drug Treatment in lieu of incarceration for low level drug possession convictions; A review of crimes involving addiction and personal use, as opposed to addiction and sale to support addiction, should be defined with appropriate modifications made to our criminal statutes accordingly.
4. Treatment for certain alcohol related convictions plus the use of modern technology such as ignition interlock in lieu of incarceration; While this may be controversial with certain groups, consideration of continued employment, separation of the family unit, recognition of addiction as a disease and not a crime are worthwhile to pursue in an effort to retain those who are addicted as contributing members of society while at the same time reducing the number of beds needed by DOC.
5. Legislatively adopt, amend or reject Sentencing Guidelines Recommendations; It would not be appropriate to simply allow those recommendations to be implemented as law without the legislature being involved. A thorough discussion by elected representatives on this topic is entirely appropriate and would likely generate discussion involving the topics outlined at numbers 2, 3 and 4 above.
6. Minnesota Parole Board; A careful review of reinstatement of the Parole Board by the legislature is a worthwhile consideration for the reasons pointed out in Jack Davies letter to the task force dated 2-25-26. I

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would, therefore, urge consideration in the upcoming session of SF 2109 in its current or yet to be amended form.

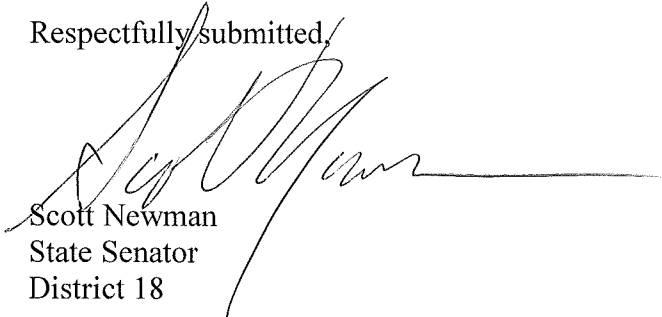
7. Review of treatment for addiction, substance abuse, mental illness and sexual abuse crimes while incarcerated; It is unclear how treatment in these four areas is handled by the Department of Corrections and whether the treatment programs are successful or even taken advantage of by inmates. In addition, successful completion of appropriate programs by inmates could be used as a criteria to be considered by the Parole Board, if it were to be created.

8. Appleton Prison; Before agreeing to build space for any type of new prison beds, the facility in Appleton must be considered as an alternative to house new or current prisoners in addition to the possibility of shifting prisoners to Appleton in order to accommodate new programs at various Department of Correction facilities. There currently exists at the Appleton facility 1500-1600 beds with the owner willing to lease it to Minnesota to be run by the Department of Corrections and its employees. The legislature should at the very least, formally explore the use of this prison to determine whether it offers a reasonable alternative to the cost of the State building new facilities.

9. Adequately Fund Department of Corrections; Public Safety is a core function of government and the Department of Corrections is a player in protecting the public. One of the reasons stated by the Department of Corrections for not fully complying with judicially ordered treatment was lack of resources. The legislature is responsible for providing the funding necessary to carry out the mandates directed to the Department of Corrections by the Legislature and the Judicial Branch. If as a result of this task force and any forthcoming action by the legislature, which implements changes in treatment modalities for mental health, addiction, substance abuse and sex crimes, we must be prepared to give Department of Corrections enough money to do what we are asking of them.

10. Legislatively created Prison Population Task Force; The current task force is informally created and called by the respective Chairs in the House and Senate. I wish to personally thank both Representative Cornish and Senator Latz for doing so as without a doubt it has generated significant interest and many ideas. In the upcoming session it is doubtful the legislature will have time to address all of the various ideas generated. Given the importance of the larger issue and need for Prison Population Reform, I would suggest that in the 2016 session, the task force be legislatively established.

Respectfully submitted,


Scott Newman
State Senator
District 18



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