



# MACPOST

Minnesota Association of County Probation Officers

SUMMER 2015

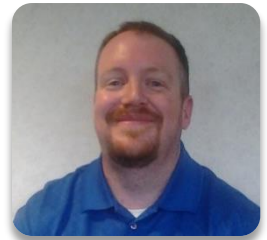
## In This Issue:

1	From the President
2	Farewell from Deanna
3	County Highlight: Chisago County
3	Legislative Committee
4	Communications Committee
4	Membership Committee
5	Training and Education Committee
6	CPO Director's Committee Update
7	For-Profit Schools Shut Down Criminal Justice Program
8	Half of Trafficking Victims Are Minors
9	Double 'Wet Willy' on Police Officer Was a Bad Idea
10	Featured Adult Service
10	Featured Juvenile Service
10	Quick Facts
11	Upcoming Events and Training
12	Bits & Pieces
14	Mission and Vision
15	Executive Board Contact Information

## From the President

Hello and happy July!

I have been fortunate to be President-Elect over the last year and in that time I have learned a lot. Much of this learning has been shown to me by current MACPO President, Deanna Ruffing. In no way do I think I can fill her footsteps. However, I hope to create steps right next to the path she has created for MACPO. I really appreciate the opportunity I have been given to be President of MACPO and promise to work hard leading this great organization.



*Neal Huemoeller*  
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MACPO co-hosted a training on April 29-30<sup>th</sup>, 2015, with the National Institute of Corrections (NIC) on the topic of "Secondary Trauma." As one of the attendees, along with the evaluations from other attendees, I can comfortably say the training was a huge success. The information that was provided was very applicable to our jobs as probation officers and something that needed to be addressed for the general well-being of each individual. I am already in contact with the National Institute of Corrections to schedule a training this fall for those interested in becoming a peer support/mentor for traumatic issues within an office and a training for management on this issue. Continue to check MACPO.net for more information!

Then there is the MACPO Spring Conference that just took place in May 2015. The Training and Education Committee and Membership Committee knocked another one out of the park with this conference. I was very impressed with the hard work of these committees and everything was a success. Even Elvis made an appearance at the conference!

# Farewell from Deanna

*Deanna Ruffing, Nicollet County Probation*

Thank you to all who attended this year's successful spring conference! I especially would like to thank the Training and Education Committee and Membership Committee for their fine work in organizing the conference. We broke another record (two years in a row) with the number of vendors that attended!

Congratulations to our 2015 Award Recipients who were recognized: Mike McGuire-Al Reker Distinguished Service Award; Denise Olson-Outstanding Performance Award; Woodland Hills-Excellence in Corrections Award; Elisabeth Payne-Rookie Agent of the Year; and Nexus Treatment Programs-Superior Service Award. John Klavins was also recognized as outgoing Chair of the Director's Committee. The election also took place at the conference and we welcome President-Elect, Jon Schiro of Brown County, as a new member of the Executive Board. Carter Diers was re-elected as our Treasurer, and he will continue to serve and do a great job.

This is also the time of year where the president concludes his or her term. As my second term nears a close, I would like to thank the membership for the opportunity to serve as the MACPO President. I am grateful for the opportunities that were present while serving in this role. I have also appreciated working with all of those on the Executive Board who were so dedicated to MACPO and the membership. Neal Huemoeller will do a great job leading the organization as the next president.

Thank you also to all the members of the various committees that continue to serve MACPO. We are always looking for new members and welcome new ideas. Please consider joining a committee and building relationships with others in the field. I would be happy to connect anyone interested to the Committee Chair in their particular area of interest. Please continue to take advantage of the regional trainings that are offered as part of your membership! Information may be found on the website.

I hope you enjoy a relaxing and safe summer!

## County Highlight: Chisago County

*Amy Chavez, Chisago County Court Services Director*

Greetings from Chisago County Probation! This department was established in the 1960s. Our county seat is located in Center City. We have a population of approximately 53,761. The geographic size of our county is roughly 442 square miles, with 28 of those miles being lake water. Chisago County was organized in 1851 and took its name from Chisago Lake. Many people travel to Chisago County to visit the Saint Croix National Scenic Riverway.

We are an office of ten people, soon to be eleven. There are eight probation agents, one office support/case aide, and the director. We are in the works of hiring another support staff person. All agents and the director are appointed by the District Court Judges.

The staff of our department are: Amy Chavez, Shar Anderson, Gary Wood, Jocelyn Worden, Marnie Humeiuk, Jeff Schultz, Sara Prigge, Jess Mott, Peter Monson, and Jessica Hill. Amy Chavez, Director, started in this office a little over a year ago. Shar Anderson, Juvenile Agent, started here in 1991. Gary Wood, Juvenile Agent, started here in 1996. Jocelyn Worden, Medium Risk Adults, started here in

2000. Marnie Humeniuk, Medium Risk Adults, started here in 2007. Jeff Schultz, Domestic/Medium Risk Adults, started here in 1998. Sara Prigge, High Risk Adults, started in 2005. Jess Mott, High Risk Adults, started in 2014. Peter Monson, Pre-Trial Adults, started here in 2011. Lastly, Jessica Hill, CsaE Aide, started here in 2013.

Our office serves on a number of MACPO committees and statewide organizations. Our mission is to provide the court and citizens of Chisago County with evidence-based practices designed to enhance public safety and promote offender rehabilitation.

## Legislative Committee



*Margaret Munson, Wright County Court Services*

Hello all. The legislative session was an interesting one. The work our lobbyist, committee members, and directors did was outstanding. The many meetings with key legislative decision makers were important and, in my opinion, made a difference in the outcome of funding. Thank you for everyone's hard work and dedication to CPO.

The Legislative Committee is already starting to focus on 2016. We are in the process of drafting our 2016 platforms and initiatives. Stay tuned for an update next newsletter.

Lastly, the Legislative Committee thanks Warren Liepitz for his many years of service on the committee and MACPO. His wisdom, input, directness, and humor will be greatly missed. We wish him good luck with the next chapter in his life.

Lisa Frenette, MACPO Lobbyist, has done an outstanding job this year and we look forward to MACPO's partnership with her. Here is an update of the legislative session from her:

*It has been a strange session, to say the least, and the Minnesota Association of County Probation Officers (MACPO), other interested parties of public safety, and judiciary can sigh a breath of relief where others don't have the same benefit.*

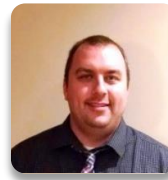
*This session, MACPO worked to educate members on the importance of a stable funding stream for MACPO as House Public Safety and Senate Judiciary were given budget targets to fund the various agencies that came under their purview. Both bodies eventually agreed to set MACPO funding at the Governor's recommendations (\$400,000 for the 2015-2016 biennium.) At the same time, the Conference Committee was reconciling any budgetary differences. A letter was sent from the Department of Corrections (DOC) explaining that each county would be receiving less funding, due to increased costs in salaries and benefits, even though the size of the pot did not decrease.*

*MACPO made a bold decision to pitch a plea to the Conference Committee explaining how the continued decrease in funding and the increase in benefits hurt evidence-based programs the CPO counties were implementing. In the end, the conference increased MACPO's budget for the biennium by \$94,000 and \$95,000.*

*The Conference Committee Report, signed into law by Governor Dayton, was a slimmed down version of what the respective bodies would have liked to pass, including voter felony rights, tougher DWI standards, and a decision on the Minnesota Sex Offender Program. One provision to note is criminal and civil DWI standards are now both .016.*

# Communications Committee

*Peter Monson, Chisago County Court Services*



The Communications Committee continues to enhance and expand the information provided through MACPO's website, MACPOST, and MACPO's social media. Please visit [www.macpo.net](http://www.macpo.net) and follow MACPO on Facebook and Twitter for the latest news and information from MACPO.

Also, the Communications Committee welcomes Jess Mott, ISP Agent from Chisago County Probation, as the new Vice Chair. Jess is MACPO's social media contact and continues to expand MACPO's reach through these outlets.

Scholarship applications and award nominations for 2016 will open later this summer through MACPO's website. Also, please visit MACPO's interactive map on the website for the most up-to-date contact information, ISP programming, and internship requirements for each county within Minnesota.

Lastly, the Communications Committee is always looking for new members and ideas for the MACPOST. If interested, please email [communication@macpo.net](mailto:communication@macpo.net).

# Membership Committee

*Samantha Ahrens, Steele County Probation*

*Nicole Kalow, Waseca County Court Services*



Happy summer everyone! First, I would like to start by saying a huge thank you to the Training and Education Committee, and to all of the MACPO members who attended to help make this year's MACPO Spring Conference great success! MACPO would not exist without your support. We brought back clothing sales at this year's conference and it went well. We still have select sizes available in all three options, at \$30 each. If you would like to purchase one, contact Samantha Ahrens at [samantha.ahrens@co.steele.mn.us](mailto:samantha.ahrens@co.steele.mn.us) or Nicole Kalow at [nicole.kalow@co.waseca.mn.us](mailto:nicole.kalow@co.waseca.mn.us).

Membership Committee has been through a few recent changes. We have a new Chair and a new Vice-Chair! Samantha Ahrens, Steele County Probation Services, has been given the opportunity to step into the Chair position from the Vice-Chair position. Nicole Kalow, Waseca County Court Services, has stepped up to be the Vice-Chair of Membership. We also gained two new members. We welcome Hannah Bloom, Cass County Probation, and Amy Geyer, Freeborn County Probation Services. Thanks for your commitment to MACPO ladies! Our committee is now 12 strong! If you would like to join the MACPO Membership Committee, please contact Samantha or Nicole. We are always looking for more talented individuals to join us and share new ideas with our committee.

We would like to congratulate Cassie Schmidt as the 2015 recipient of the Academic Memorial Scholarship. She attends Winona State University with double majors in corrections and psychology. Our committee members went through many applicants this year and hope to receive as many, if not more, qualified applicants for next year's scholarship.

With the help of the Communications Committee, the Membership Committee has been able to utilize technology to make becoming a member, paying dues, and applying for the scholarship much faster and easier. We feel the addition of Pay Pal has helped increase our membership numbers. Having the application for the scholarship being an on-line fillable one has helped increase the number of applications we received this year. It is an ongoing goal of the Membership Committee to use technology better to reach out to possible members and to make life easier for our current members.

Here's hoping you all have a safe and happy summer!

## Training and Education Committee



*Jason Vande Kamp, Isanti County Probation*

*Debbie Lawrence, Isanti County Probation*

Thank you to all who attended MACPO's 58th Annual Spring Conference at Breezy Point Resort. It was a great turn out at the conference. This year's conference was well attended by our members. We also had a record of 47 vendors this year!! We want to extend a big thank you to all our members that attended the conference and continue to support MACPO throughout the years. We would also like to thank all of our vendors for all they do to help make our spring conference a success.

Based on the feedback the members of the Training and Education Committee received, our conference was once again a success! Thank you to all of you who completed your survey, as we have a lot of great ideas as we begin the process of planning for next year's conference. The conference will be held on May 25th- 26th at Breezy Point Resort. If you have any speaker, training, or conference ideas, please notify Jason, Debbie, or anyone on the Training and Education Committee.

We would like to take this opportunity to give a personal thank you to all the members of the Training and Education Committee for all of their hard work to help make this conference a success. They work very hard year-round to plan the conference and come up with great training opportunities for our members year after year. We would also like to thank the members of the Executive Board and Communications, Legislative, and Membership committees for all of their dedication to MACPO and hard work in planning the conference.

Our next regional training is "Prevention of Homelessness of Young Adults in the Criminal Justice System." It is scheduled for Monday, July 27<sup>th</sup>, from 9 a.m. – 12 p.m., at the DOC Central Office. Please check the MACPO website for further details and information on how to register.

The Training and Education Committee is busy working on planning the upcoming Support Staff Conference. This year's conference will be held on Wednesday, October 21<sup>st</sup>, at the Holiday Inn in St. Cloud. Watch for an email with more information, or you can check the MACPO website for more details. Please feel free to pass along the information to the support staff in your office and/or any other support staff within your county.

The Training and Education Committee would like to thank Deanna Ruffing and Todd Eustice for their leadership these past two years as President and outgoing President. We would also like to welcome Neal Huemoeller as our new President and Jon Schiro as our newly elected President-Elect. We also would like to thank John Klavins for his many years of hard work and dedication to MACPO and E-Board. We wish him well in his new venture as Director of Ramsey County in "lovely" St. Paul, Minnesota!!

# CPO Director's Committee Updates

*John Klavins, Carver County Court Services Director*

The County Probation Officer (CPO) Director's Committee continues to meet every month in order to review a number of topics that impact probation services and staff, particularly within the CPO delivery system. At each monthly meeting, CPO directors and supervisors from around the state share regular updates and discuss topics, including: MACPO organizational matters, training opportunities, evidence-based practices and programs, legislative initiatives, funding concerns and opportunities, initiatives or activities impacting probation service delivery, and officer safety.

Funding challenges and potential reimbursement reform have continued to be significant issues for probation departments across the state, and this topic continues to be on our agenda each month. Our primary state subsidies (CPO Annual Salary Reimbursement funds) have fallen below the 50% level over the past decade, and are actually being distributed this month at 29% for our 2014 funding. These state reimbursements have not kept up with ongoing increases and costs, including: staff salaries, rising benefit costs, service and program related expenses, training, safety and security expenses, capital costs, etc. The good news is that the state legislature did authorize some funding increases for probation services, and the CPO subsidy will be increased by 3-4% each year, over the next two years. No major funding mechanism changes or plans have been implemented, and formulas for dividing dollars are still unclear for CPO counties. The Commissioner of Corrections continues to be very open to hosting further discussions and to work with counties on finding solutions that could be supported by the legislature and the Governor's Office. The utilization of more effective supervision services and programs requires adequate and ongoing funding; particularly to maintain professional staff resources, support ongoing training, and conduct research and outcome evaluation studies.

In addition to the above updates, the CPO Director's Committee would also like to acknowledge the retirement of Director Warren Liepitz from Mille Lacs County, effective on the 4<sup>th</sup> of July. This date reflects Warren's passion for corrections and his sparkling style! Terry Arola, former director of Pine County Court Services, recently retired also. Terry Fawcett (former agent, trainer, and supervisor with Arrowhead Regional Corrections) took over as the new Pine County Court Services Director on April 20<sup>th</sup> of this year. Mike McGuire (Director and "Man of Steele" and Waseca Counties) also announced his retirement, effective this summer. Mike was also this year's "Al Reker" award winner. He was honored at the Spring Conference in May with a "Top 10" list of impressive accomplishments and credentials! Also, a special "thank you" to Director Rich Molitor (Nicollet County), who is now the officially appointed "full-time" chairperson for the CPO Director's Committee.

In conclusion, I wanted to also announce that my last day as the Carver County Court Services Director will be on July 7<sup>th</sup>. I will be taking over as the new Community Corrections Director in Ramsey County, effective July 8<sup>th</sup>. I have truly enjoyed my work as a CPO Director over the past 12 years, as well as my experiences with MACPO. I served as president in 2009-2010 and on the Executive Board for the past six years. MACPO is a fine organization with many dedicated, enthusiastic, and energetic people, whom are working hard each day to make the world a better place! Change is a constant part of life and hopefully we can all continue to make the best of the opportunities that we are given or that we can create! Have a great summer to all!

# For-Profit Schools Shut Down Criminal Justice Program Targeted By State of Minnesota

*Feb 3, 2015, 10:36am CST -- Jim Hammerand-- Minneapolis / St. Paul Business Journal*

The Minnesota School of Business and affiliate Globe University have halted enrollment in their controversial criminal justice program, the Star Tribune reports.

The schools were sued by Minnesota Attorney General Lori Swanson last year, accused of piling tens of thousands of dollars of debt on to criminal justice students without giving them the right degree to become police officers.

After the state sued, the Department of Defense blocked the schools from using some federal military education benefits.

The Woodbury-based schools have denied the allegations in the state's ongoing litigation, but could not be reached Tuesday for more information on the program's closure.

The Minnesota School of Business and Globe University operate campuses in Blaine, Brooklyn Center, Elk River, Lakeville, Minneapolis, Moorhead, Plymouth, Richfield, Rochester, Shakopee, and Woodbury, along with online programs.

The schools are part of the Globe Education Network, which also includes Broadview University, the Minnesota School of Cosmetology, the Institute of Production and Recording, Duluth Business University and Broadview Entertainment Arts University.

Two former deans successfully sued Globe University after they were fired, saying they were terminated after raising concerns that the schools were misleading potential students about their job prospects.



# Minnesota Crime Report: Half of Trafficking Victims Were Minors

*By Robb Jeffries, Forum News Service on Jul 1, 2015 at 7:12 p.m.*

ST. PAUL — More than half of victims in human trafficking in Minnesota last year were minors, the Minnesota Department of Public Safety wrote in its annual crime statistics report released Wednesday.

This is the first year that human trafficking data was included in the annual report.

It said there were 38 victims of human trafficking reported in Minnesota; more than half were children ages 11 to 17.

Overall, serious crime rates saw a marked decrease in 2014 from years past, the report said.

Part 1 crimes — the most severe category of crimes in the Minnesota system — decreased 4.4 percent from 2013. Property crimes in that category, which include burglary, larceny, motor vehicle theft and arson, dropped 4.8 percent, while violent crimes (murder, rape, robbery and aggravated assault) dropped 1.2 percent.

There were 82 reported murders in 2014, down from 111 in 2013 and the lowest reported figure since 2011. Forty-six of those incidents involved guns, with handguns (37 counts) being the overwhelmingly most common weapon.

Instances of rape had a slight increase in the state in 2014. There were nine more reported rapes than 2013, with 1,980 instances reported.

The report also provided statistics for discriminatory crimes. Crimes motivated by a bias against race, religion, nationality and sexual orientation all dropped from 2013. There was a 40 percent drop in crimes motivated by race, although blacks and African-Americans continue to be targeted twice as often as the next racial group, whites. Instances of anti-LGBT crimes in 2014 were less than half than 2012.

Just nine percent of Part 1 crimes were violent crimes, as there were nearly 125,000 property crimes in Minnesota in 2014, including a 4.2 percent increase of motor vehicle theft.

Drug crimes held even for the most part, up less than a tenth of a percent. Marijuana crimes made up 60 percent of the more than 19,000 drug crimes in 2014.





# Double 'Wet Willy' On Police Officer Was A Bad Idea

*The Huffington Post / By Steven Hoffer Posted: 10/22/2014 12:25 pm EDT Updated: 10/22/2014 12:59 pm EDT*

Lend me your ear and I'll tell you a story.

An intoxicated man home on leave from the Air Force thought it would be a good idea to give a Minnesota police officer a double "Wet Willy." It was not.

Riley Louis Swearingen, 24, pleaded guilty to disruptive intoxication Monday, KARE reports. Swearingen spent several days in jail before taking a plea deal to avoid felony charges for the early Saturday morning incident.

Minneapolis City Pages explains:

According to the criminal complaint, Mankato Department of Public Safety Police Sergeant Adam Gray was talking with a driver of a "drunk bus" in the city's entertainment district when he "felt two fingertips that were obvious to him as wet with saliva being pushed into his right and left ear canals, which caused pressure and discomfort in his ear canals."

The officer turned and saw a man later identified as Swearingen tell his friends, "I just gave the cop a wet Willie."

Initial charges against Swearingen included assaulting a police officer with bodily fluids, according to the Mankato Free-Press. The punishment for that felony is no doubt quite worse than a school detention.



# Featured Adult Service

The adult facility Chisago County utilizes is Hazelden Betty Ford Foundation. They have been in practice for more than 60 years and offer outpatient and residential programs. They have become one of the world's largest and most respected treatment centers.



# Featured Juvenile Service

The East Central Regional Juvenile Center (RJC) is a 36-bed maximum security facility. They have both secure and non-secure detention centers. They are located in Lino Lakes, MN. They also have many short-term treatment programs. This facility is located at: 7565 Fourth Avenue Lino Lakes, MN 55014. If you have any questions or would like additional information, please contact them at (651) 792-3021.



# Quick Facts

## Imprisonment Costs Eight Times More Than Supervision

Average Annual Cost To...	
Detain a person in jail pending trial	\$27,832
Imprison a person after sentencing	\$30,621
Place a person in a residential reentry center	\$28,999
Supervise a person in the community pending trial	\$3,279
Supervise a person in the community after sentencing	\$3,909

This data is based on annualized averages for 2014, provided by the FBI, U.S. Marshals Service, and the Administrative Office (AO).

Judges are required to consider the cost of custody and supervision when determining the amount and payment terms of any fine to be imposed. However, since each sentencing option has strengths and weaknesses, courts often use the various options in conjunction with each other. In addition, probation and pretrial service offices employ various policies and procedures to focus on the highest risk defendants and offenders so as to maximize protection to the public.

<http://www.uscourts.gov/news/2015/06/18/did-you-know-imprisonment-costs-8-times-more-supervision>

# Upcoming Events and Training

## Prevention of Homelessness of Young Adults in the Criminal Justice System

This MACPO Regional Training will be held on July 27, 2015, from 9 a.m. to 12 p.m. The training will be located at the MN DOC Central Office, 1450 Energy Park Drive, Suite 200, St. Paul, MN.

Paul Legler, President of Innovative Social Policy, LLC., will talk about prevention of homelessness and a sequential intercept model to prevent homelessness of youth/young adults in the justice system.

Laura Kadwell, State Director of Heading Home Minnesota, will be attending the training to talk about homelessness in Minnesota with an emphasis on youth/young adult homelessness and what is being done statewide in Minnesota to end homelessness.

Last, but not least, Patrice O’Leary will tell you about the resources for those at risk of homelessness with a focus on youth/young adults in out-state Minnesota. Patrice O’Leary is the Senior Director of Youth, Housing & Family Resources at Lutheran Social Services.

This training is free to MACPO members. However, if you are a non-member, cost for the training is \$40, which includes the MACPO membership.

To register, please go visit [www.macpo.net](http://www.macpo.net) and select the MACPO Regional Training – Prevention of Homelessness of Young Adults in Criminal Justice System link.

## Domestic Violence – S.A.F.E. Program

The S.A.F.E. Program (Sisters Advocating For Empowerment) is a support program offering domestic abuse and anger management education, as well as meeting culturally specific needs of participants. The S.A.F.E. program utilizes a parallel curriculum that merges to create a learning experience of personal growth, support and healing. Our goal is to empower and support women by helping them better understand their feelings, develop skills to manage personal emotions, and build self- esteem.

Participants will learn:

- The idea behind of the S.A.F.E. program parallel curriculum;
- Domestic abuse, power, and control;
- The Construct of Anger;
- Identifying feelings for “think time;”
- What makes this program “culturally specific.”

Presenter will be Blenda Smith, Program Coordinator and Family Assessment Case Manager, 180 Degrees African American Wellness Institute. Blenda Smith has 27 years of experience in providing direct, supportive, and family-driven services for diverse populations. She has a proven track record of successfully engaging clients and families, as well as handling crisis situations that often emerge in this work. Currently, Ms. Smith is the Program Coordinator and Family Assessment Case Manager for the 180 Degrees African American Wellness Institute’s Sisters Advocating for Empowerment (SAFE) program. SAFE provides culturally-specific support, assistance, and education to help women (particularly African, African American, and multicultural women who are involved in or are survivors of domestic violence) develop and maintain safe and stable living situations through EBPs developed for cultural communities. During the past year, Ms. Smith has participated in MCF-RW’s Juvenile Reentry Taskforce and chaired the Taskforce’s Family Engagement Workgroup.

Prior to joining 180 Degrees, Ms. Smith supervised study hall for Hopkins School District; coordinated and facilitated a women's anger management and parenting program at Phyllis Wheatley Community Center; and was a family liaison for Minneapolis Public Schools. She has also worked for the U.S. Census Bureau, Minneapolis Urban League, an alternative high school called The City, Inc. and Plymouth Christian Youth Center. Ms. Smith has a BA in human services, minored in adult development and training, and is pursuing a Master's Degree in Leadership from Augsburg College.

This training will be held on Friday, July 17, 2015, from 9:00 a.m. to 12:00 p.m., at 553 Fairview Avenue North, St. Paul, MN 55104

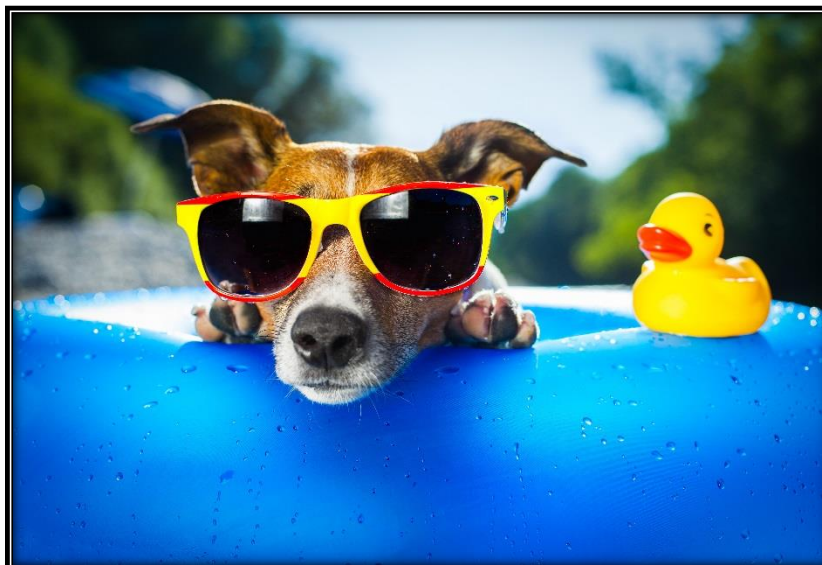
Questions regarding membership? Please contact Christen Munn - [cmunn@goodwilleasterseals.org](mailto:cmunn@goodwilleasterseals.org).

### **Sexual Exploitation and Sex Trafficking in Minnesota**

This training will take place on Friday, August 21, 2015, from 9 a.m. to 12 p.m., at 533 Fairview Avenue North, St. Paul, MN 55104. There will be a few topics presented, including:

- What Law Enforcement is Seeing
  - o Speaker: Grant Snyder, Minneapolis Police Department
- What Service Providers Need to Know About Safe Harbor Legislation and Services Offered
  - o Speaker: Lauren Ryan, J.D., Statewide Director of Safe Harbor/No Wrong Door Program at the MN Department of Health
- Signs to Watch For, How to Respond Appropriately, and How to Connect People to Resources
  - o Speaker: Taylor Mitsch, East Metro Safe Harbor Regional Navigator
  - o Speaker: Kristy Collier, West Metro Safe Harbor Regional Navigator

Online registrations for this training will be given first priority and trainings are free to all current MCCA members. If you are currently an MCCA member, please go to [mnmcca.com](http://mnmcca.com) to sign in and register for the training. If you are not a member, please sign up at [mnmcca.com](http://mnmcca.com) for a membership. A \$35 training fee will be due at the time of registration. This annual investment pays for one year of monthly training sessions and your MCCA membership. Questions can be directed to Christen Munn, Director of Membership, at [Cmunn@goodwilleasterseals.org](mailto:Cmunn@goodwilleasterseals.org).



## Bits & Pieces

If you have news articles or personal/professional information regarding MACPO and/or its members, please send them to Patrick LaVine, Wright County Court Services, 10 2nd St NW, Room 402, Buffalo, MN 55313 or at [patrick.lavine@co.wright.mn.us](mailto:patrick.lavine@co.wright.mn.us).

### *Minnesota stiffens penalties for mid-level DWIs*

By Dan Browning, Star Tribune -- June 14, 2015 - 10:55 PM

The Legislature this year lowered the threshold for a gross misdemeanor drunken driving offense to a blood-alcohol concentration (BAC) of .16 percent.

The penalties for driving sloppy drunk in Minnesota get substantially tougher in August, a change that could affect thousands of drivers each year.

The Legislature this year lowered the threshold for a gross misdemeanor drunken driving offense to a blood-alcohol concentration (BAC) of .16 percent. That's still twice the legal limit for misdemeanor DWIs, but it's .04 percentage point lower than the previous trigger for seriously impaired driving violations.

Dropping the gross misdemeanor threshold by .04 percentage point may not seem like much. But a Star Tribune analysis found that it could result in nearly 3,000 more gross misdemeanor DWIs a year if the average numbers for the past few years hold — a 71 percent increase.

The change will expose those defendants to maximum one-year jail terms, up from 90 days under the misdemeanor standard. It would triple the current \$1,000 maximum fine. And it would authorize stiffer bail, result in much higher auto insurance rates and more painful legal bills. Gross misdemeanor convictions also can mean stiffer penalties for subsequent DWIs.

One out of every seven licensed Minnesota drivers has at least one DWI. David Bernstein, Chair of the Minnesota DWI Task Force, said the lower threshold will primarily affect repeat offenders, because they have an average BAC of .165.

Some lawyers who represent those charged with drunken driving say the lower threshold is too punitive. But supporters say the tougher law is worth it, because it will save lives.

Research shows that the likelihood of getting involved in an accident spikes above a BAC of .15, said Sen. Ron Latz, DFL-St. Louis Park, the chief sponsor of the legislation in the Senate. He said the threshold of .16 was used in the bill because it's "twice the legal limit" for a misdemeanor DWI, which makes it easier to grasp.

"Hopefully, you'll have fewer people take the serious chance of those extra few drinks," Latz said.

The law got through the Legislature without a fiscal impact analysis, though it seems likely to drive up district court costs for counties.

In the past three years, an average of 5,024 people a year were charged in Minnesota for driving with blood-alcohol levels between .16 and .19. Nearly 6 of 10 were first-offenders, according to the Department of Public Safety. Minnesota has the highest DWI recidivism rate in the nation, at over 40 percent.

From 2011 through 2013, 77 people died in Minnesota and 42 others were injured in crashes involving drivers with BAC levels between .16 and .19. An average of 99 people died each year in all alcohol-related accidents in Minnesota in those years, and an average of 2,440 were injured.

Alcohol-related traffic crashes in Minnesota cost an estimated \$204 million in medical expenses, property damage and lost productivity in 2013.

The legislation also synchronizes criminal law with administrative penalties, in that they both will now escalate at the lower blood-alcohol standard.

Some defense attorneys say that while the goals of the legislation are laudable, it will come as a shock to many offenders who may make a single, stupid mistake.

“I think this net is cast so broad you’re going to get a lot of people,” said Joe Tamburino, a Minneapolis lawyer. He said he has clients with otherwise clean records who would have tripped the new gross misdemeanor standard after drinking at a wedding or holiday party. It doesn’t seem right to automatically expose them to such severe sanctions, he said.

“A full year of a revocation of license! The only way you’re going to get it back is do the ignition interlock system,” Tamburino said, citing a costly monitoring program that requires drivers to give rolling breath tests to keep their vehicles from shutting down.

In addition, drivers charged with gross misdemeanor DWIs must post a bail of up to \$12,000 to be released from jail, he said.

Murad Mohammad, another Minneapolis lawyer who defends DWI cases, said that the bill got pushed through as a housekeeping measure without any staff analysis. He noted that the average blood-alcohol concentration for a first-time offender in 2013 was .148. “That puts people awfully close to the [new] limit,” he said.

Mohammad said some people may be unable to drive safely at lower levels, while others can function reasonably well even with higher amounts of alcohol in their systems.

The new threshold was supported by the Department of Public Safety, the nonprofit Minnesotans for Safe Driving, and the Minnesota DWI Task Force, a volunteer organization made up of prosecutors, defense attorneys, judges, law enforcers, and members of interest groups that focus on drunken driving issues.

Nancy Johnson, a volunteer lobbyist with Minnesotans for Safe Driving, agreed that some drivers can “get from here to there” with higher blood-alcohol levels, but that falls apart when something unexpected occurs, like a child dashing into the street. She called the lower threshold an important piece of legislation to make the roads safer.

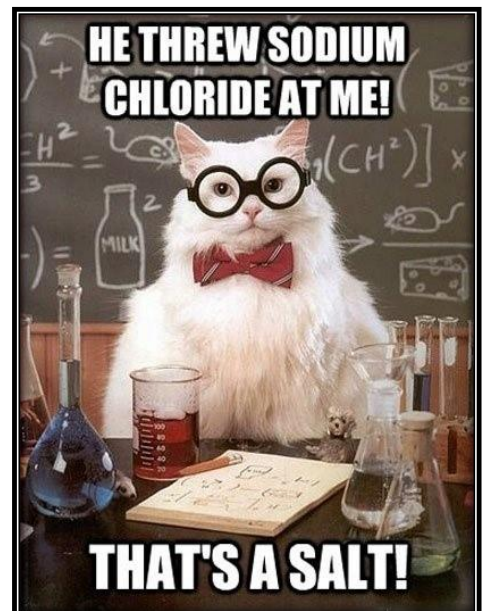


**New President-Elect**

Welcome Jon Schiro!! We are happy to have you on the MACPO Executive Board as the new President-Elect. We hope you learn as much from us as we do from you.



Police checked the area and found an open door in the back of the building. An officer went inside and called out, "Marco." The man's name was not Marco, detective Tim Dohr said. Instead, "the officer was trying to inject some humor into the situation." Police found the suspect after he responded, "Polo." The restaurant manager



## Mission

Minnesota Association of County Probation Officers is dedicated to promoting quality correctional practices through professional growth, leadership, education, communication, and support.

## Vision

Providing a voice for the probation profession and leading the promotion of sound correctional policy toward the principles of evidence based practices, restorative justice, community involvement, public protection, victim restoration, offender accountability, and competency development.

## Executive Board

### President

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### Legislative Committee Chair

*Margaret Munson*  
Wright County Court Services

### Communications Committee Chair

*Peter Monson*  
Chisago County Court Services  
*Jess Mott (Vice Chair)*  
Chisago County Court Services

### Membership Committee Chair

*Samantha Ahrens*  
Steele County Probation  
*Nicole Kalow*  
Waseca County Court Services

### Training & Education Committee Chair

*Jason Vande Kamp*  
Isanti County Probation  
*Debbie Lawrence*  
Isanti County Probation

## MACPO 2015-2016 Elected Officers

Contact MACPO Secretary, Jill Ferretti - Brown County Probation, for the location and time of MACPO Board meetings.

### Executive Board Goals:

- Review the vision statement on an annual basis at the Steering Committee meeting.
- Use MACPO's APPA Affiliate Membership to send our President (or assigned representative) to the national conference to maintain/promote our presence on a national level, to be reviewed annually.
- Continue to solicit input from MACPO membership regarding nominations for awards: Al Reker, Excellence in Corrections, Outstanding Performance, and Memorial Scholarship, as well as officer-elect positions.

Election of all officers shall be held at the annual meeting. Officers shall be elected by a simple majority at such meeting when a quorum of the voting members in good standing is present at the time of balloting.

Absentee ballots will be accepted or counted in any election and will be distributed by the Secretary at least 21 days in advance of election. Ballots to be returned three (3) days before annual meeting to the Nominating Committee Chair.

The Nominations/Awards Committee shall meet at least 60 days in advance of the annual meeting. The Nominations/Awards Committee shall contact candidates and potential candidates from among the voting membership of the association and shall prepare a list of such candidates and the offices for which they are candidates.



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