



OFFICE OF THE COMMISSIONER  
*Contributing to a Safer Minnesota*

February 15, 2008

Honorable Michael Paymar, Chair  
House Public Safety Finance Division Committee

Honorable Linda Higgins, Chair  
Senate Public Safety Budget Division

Honorable Joe Mullery, Chair  
House Public Safety & Civil Justice Committee

Honorable Mee Moua, Chair  
Senate Judiciary Committee

Dear Committee Chairs:

The 1999 Legislature authorized the Department of Corrections (DOC) to collect supervision fees from offenders on probation and supervised release pursuant to M.S. §241.272 and directed the department to report annually on fees imposed and collected. According to this statute, the purpose of this fee is to help offset costs related to correctional services. The 2001 Legislature amended M.S. §241.272 per DOC request to allow supervision fees collected by DOC contract agents to be kept by the county and the fees collected by state agents deposited to the General Fund. This only has an impact on misdemeanor cases supervised by contract agents.

This report contains a 12-month cycle of imposing and collecting the fees and provides the following information requested in the statute: types of correctional services for which fees were charged; aggregate amount of fees imposed; and aggregate amount of fees collected.

*Types of correctional services for which fees were charged*

- Probation – assessed \$120 upon the offender's first visit and annually thereafter
- Supervised Release and Parole – assessed upon the offender's release from prison and annually thereafter



[www.doc.state.mn.us](http://www.doc.state.mn.us)

- Special Supervised Release which includes Intensive Supervised Release (ISR), Challenge Incarceration Program Phases II and III (CIP), and Conditional Release Program (CRP) – assessed upon the offender’s release to the community and annually thereafter

*Aggregate amount of fees imposed and collected*

Table 1 illustrates the amount of supervision fees imposed and payments made during Fiscal Years 2006 and 2007. It is important to note that the fees imposed during any given year could be paid in a subsequent year as offenders are allowed up to one year to pay the fee. Therefore, a significant amount of fees imposed during one calendar year will be collected during the next calendar year.

When legislation was passed allowing collection of supervision fees, it was projected that \$720,000 would be collected each fiscal year after the first year of implementation. The initial projections assumed a 50 percent compliance rate with 12,000 adult offenders under active department supervision. This past fiscal year’s fees were imposed on 15,100 offenders. The 50 percent compliance rate has been exceeded, but the original projection of 12,000 adult offenders did not take into consideration waivers or offenders not under active supervision (see Table 2). It remains difficult to project the compliance rate and number of offenders. If the department’s experiences continue, the compliance rate and overall dollars collected can be expected to increase over time.

**Table 1: Supervision Fees Imposed and Collected for Fiscal Years 2006 and 2007**

RELEASE TYPE	2006 FEES IMPOSED	2007 FEES IMPOSED
CIP	\$ 27,720	\$ 21,410
ISR	\$ 36,490	\$ 43,490
CRP	\$ 0	\$ 1,570
Probation	\$ 1,483,931	\$1,598,220
Sup. Release	\$ 140,530	\$ 147,270
Total	\$ 1,688,671	\$1,811,960
RELEASE TYPE	2006 FEES COLLECTED	2007 FEES COLLECTED
CIP	\$ 18,005	\$ 12,063
ISR	\$ 10,432	\$ 10,358
CRP	\$ 0	\$ 1,220
Probation	\$ 794,437	\$ 827,697
Sup. Release	\$ 49,380	\$ 56,294
Total	\$ 872,254	\$ 907,632
Disbursement 2007		
General Fund \$ 703,280 County \$ 204,352		

Table 2 illustrates the reasons for waiver along with the percentages each waiver reason is to the number of fees imposed. During this past year, 15,100 fees were imposed with 2,010 waived. This is a waiver rate of less than 14 percent.

**Table 2: Supervision Fee Waivers by Release Type**

<b>Waiver Type</b>	<b>Special Supervision (ISR/CIP/CRP)</b>	<b>Probation</b>	<b>Supervised Release</b>	<b>Total Number of Waivers</b>	<b>Waiver Rates</b>
<b>Disability / Unemployable</b>	7	182	35	224	1.5%
<b>Extenuating Circumstances</b>	30	328	36	394	2.6%
<b>Revoked and Committed</b>	297	313	435	1045	6.9%
<b>Significant Restitution</b>	0	72	2	74	.5%
<b>Treatment Costs</b>	0	13	2	15	.1%
<b>Under \$25 – No Revenue Recapture</b>	5	29	18	52	.3%
<b>Work Service</b>	1	196	9	206	1.4%
<b>Total Waivers</b>	<b>340</b>	<b>1133</b>	<b>537</b>	<b>2010</b>	<b>13.3%</b>

Please contact me if you have questions regarding this report.

Sincerely,

/s/

Joan Fabian  
 Commissioner

Enc.

- c: Honorable Steve Smith
- Honorable Bill Ingebrigtsen
- Honorable Paul Kohls
- Honorable Warren Limmer
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- Minnesota State Law Library (two copies)
- Chief Clerk of the House
- Secretary of the Senate