

MCCA

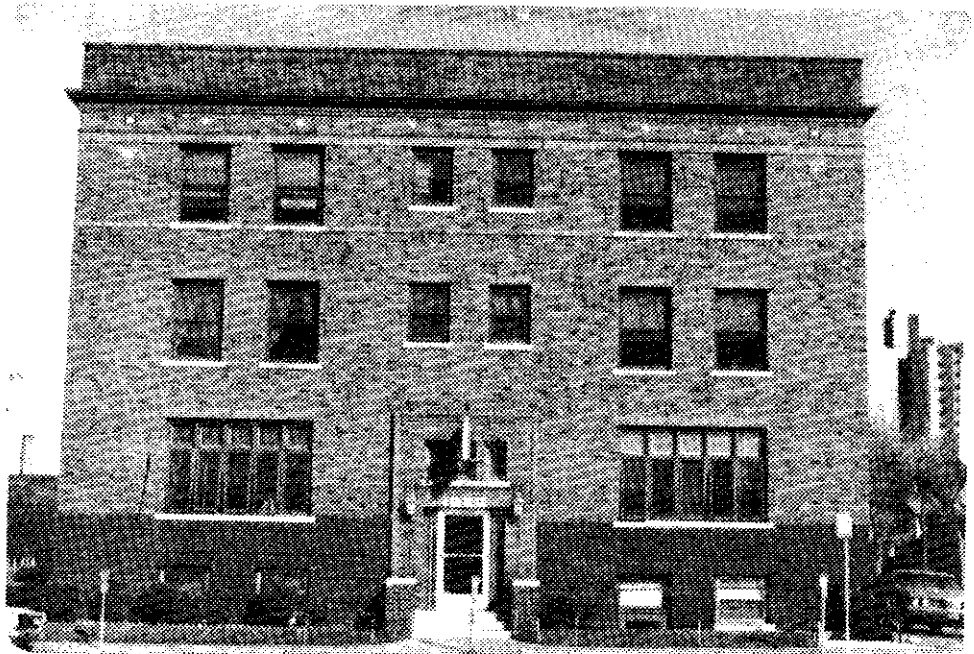
Den

Eden House To Celebrate 10 Years

Join Our Celebration

On October 3, 1981, Eden House will celebrate its Ten-Year Anniversary with a series of events. At 10:00 A.M., there will be a 2-Mile Fun Run, and 10-Kilometer Race, beginning at the Waubun Area of Minnehaha Park. Both races are open to the public. Immediately following the race will be a potluck picnic, followed by games and entertainment. In the evening, there will be speakers and a dance at the Radisson South Hotel. As part of the evening presentation, there will be a raffle, where a number of vacation trips, along with other prizes, will be raffled off. Tickets to the dance are available at Eden House, and include one chance at the raffle. Additional raffle tickets will be \$1.00 each.

Since 1971, Eden House has been providing quality treatment to the hard-core chemical abusers of the Upper Midwest. It has played an integral part in the entire community corrections movement in many ways.



EDEN HOUSE cont. on page 6

MCCA Takes A Stand

In June, eight Hennepin County Court Services contracted programs were notified of a \$76,000 cut in program funding for 1981. Earlier, Court Services had indicated programs wouldn't be affected by cuts this year.

Many agencies are experiencing budget cuts at this time. But, in this case, Court Services received a 2.5% decrease in their total budget and passed along 21% of the cut to community corrections projects. The cuts were based on a prioritized list of

recommendations which Court Services developed for the County Board if funding decreases were necessary for the balance of the year. MCCA contacted Hennepin County Administrator, Dale Ackmann and each member of the Hennepin County Board of Commissioners to reconsider their position (see Letters pages 4 & 5). Also, each County Board member was personally contacted by a contracted program.

As a result, at its August 4th Board meeting, the Commissioners directed Court Services to delay amending contracts and to make another recommendation. The final decision will be made at the next County Board meeting.

MCCA feels that programs have been asked to take not only their share of the cut, but someone else's share too. Twenty-one per cent of a 2.5% cut is disproportionate and unfair. We respectfully request that Court Services look again for a more equitable solution to the problem.

The result is unknown at this point, but it is apparent that being unified and organized can be effective. We must continue to work together on issues which affect community corrections programs and the clients they serve.

Gail Johnson
President

Men are often afraid to rock the boat in which they hope to drift safely through life's currents, when, actually, the boat is stuck on a sandbar. They would be better off to rock the boat and try to shake it loose, or, better still, jump in the water and swim for the shore.

Thomas Szasz

MIBCA Serves Concerned Persons

The Metropolitan Institute on Black Chemical Abuse is now offering a Concerned Persons Orientation Series for any man or woman over the age of sixteen. The objective of the five week orientation program is to help co-dependent family members realize that the place to begin in helping the chemically dependent person is with themselves. They are urged to learn all they can and start practicing the new coping techniques. Upon completion of the series, the co-dependent person are offered referral resources to fit their needs for an ongoing support system. Meetings are held at the MIBCA office, 111 East Franklin, Minneapolis, on Tuesdays, 7-9 p.m. **For information call Menjwe Farrow or Henry Counts at 871-7878.**



A publication of the Minnesota Community Corrections Association. 666 Marshall Ave. St. Paul, MN 55104—292-1131

The opinions expressed in the Happenings are those of the contributing writers. Readers are encouraged to respond to the content of this newsletter and to write on topics of interest to its readers. The staff reserves the right to edit submitted articles. Copy deadline is the 25th of odd-numbered months.

Members of the newsletter committee are:

Dale Fisher--editor

Mia Olsen

Liz Tellers

Karole Williams--Board of Directors Liaison

We would also like to thank the men in the print shop at MCF-STW for their help and assistance in putting out this newsletter.

American Indian Center Seeks Funding For Battered Women Program

The American Indian Center, located at 1530 East Franklin Avenue, announced their plans for a proposed Advocacy and Community Education Program to serve the needs of battered Indian Women. Michael Wiebe, Research Analyst for the Center, state, "We are currently the largest, most comprehensive social service provider for the Indian population in the Twin Cities Area."

Mr. Wiebe stated that the Advocacy division is being developed for the purpose of referral of clients to currently existing programs in the Metropolitan Area, that deal with battering issues. The Advocates would "facilitate communications between the

client and the agency serving them."

The Community Education division will offer workshops for Indian women to help them understand the causes of the problem and explore possible solutions. Some informational seminars being planned for Indians, will also be offered to non-Indians on the nature and extent of the problem of domestic battering in the Indian community.

This program proposal was submitted to the Department of Corrections on July 22, 1981, for funding purposes. Anyone desiring further information should contact **Michael Wiebe, George Mitchell, or Elizabeth Hallmark at 871-4555.**

People Happenings

Sharon Sayles was elected President of the National Coalition Against Sexual Assault (NCASA) at their annual convention in Syracuse, New York on July 31, 1981.

NCASA is a national network which grew out of the 1978 conference of the National Organization of Victim Assistance (NOVA). It was formed to establish a national communications network for the purpose of discussing the issues concerning sexual assault, serving as a lobbying unit, and working towards the elimination of sexual violence. Approximately 200 rape crisis centers from throughout the United States and Canada are members of this organization.

Sayles will be responsible for the management of NCASA for the next 2 years. Her duties will include the appointment of committee members, program development and serving as chief spokesperson to the general public.

Since 1978 Sayles has been assistant director of the Minnesota Program for Victims of Sexual Assault, a project of the Department of Corrections. Prior to that time she was a probation and parole agent at the Bloomington office-probation and parole unit.

Candance Clausen and **Ralph Fosson** are new on the staff of Portland House. Candy comes from the Hennepin County Adult Corrections facility where she was a chemical dependency counselor. Ralph previously worked for HIRED. They replace Phil Caldeen who left in April and Roslyn Drake who left Portland House in May.

Robert Frost

A proverb is a short sentence based on long experience.

Carvantes

Genius is the ability to reduce the complicated to the simple.

C.W. Ceram

Justice is what you get when the money runs out.

J. Allen Robertson

Board Of Directors

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 Minneapolis, MN 55408
 823-6610

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 1025 Portland Avenue
 Minneapolis, MN 55404
 338-0723 (office)

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 DEPARTMENT OF CORRECTIONS
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 521-2251

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 439-3220 Ext. 141

We Want You To Know

Dear Members,

As you may have heard, our former hospitalization carrier, Blue Cross/Blue Shield raised our rates by 6 per cent. We immediately began searching for hospitalization with similar coverage at a lower rate.

Coverage is now through Travelers Insurance Company, which provides health, dental, life and disability insurance as a package.

It had been past practice that group insurance was available only to those agencies who had paid the annual MCCA program membership fee of \$100.

Through an omission in the By-Laws, it appeared that individuals could purchase insurance at the group rate.

In order to formalize and clarify our policy, the By-Laws were amended at the July 8, 1981 Board meeting to read.

"Participation and purchase of medical/ dental/life/disability/ insurance is available only to agencies which purchase a program membership and specifically excludes purchase of said insurances by individual or associate members".

If you are a paid program member or wish to become one, and are interested in the MCCA group insurance package, please contact us at: 666 Marshall Avenue, St. Paul, MN 55104

**Best Wishes,
Gail Johnson
President**

MINNESOTA COMMUNITY CORRECTIONS ASSOCIATION
 666 Marshall Avenue
 St. Paul, MN 55104

NAME: _____

PROGRAM/AGENCY: _____

WORK ROLE: _____

WORK PHONE: _____

ADDRESS: _____ ZIP: _____

ADDRESS SHOWN IS: _____ HOME _____ WORK

INDIVIDUAL MEMBERSHIP: _____ \$15 INDIVIDUAL SUSTAINING MEMBERSHIP: _____ \$25

INDIVIDUAL PATRON MEMBERSHIP: _____ \$50 PROGRAM MEMBERSHIP: _____ \$100

PROGRAM SPONSORING MEMBERSHIP: _____ \$300

Make checks payable to MCCA

Liability: Act In Good Faith And Keep Records

The attacker was a probationer who had escaped from treatment at the Synanon Foundation. The shooting victim brought legal action claiming Synanon was liable for the injuries. In 1979 the California Court of Appeals dismissed the action, ruling the Foundation owed no duty of care to the victim.

Such law suits, although not common in our area, are a constant concern for treatment and corrections professionals. One program director reported "Almost everything we do is touched by concern for liability and professional ethics." It is increasingly important for treatment personnel to be aware of the legal pitfalls, to avoid problems and to provide the best possible service.

One of the most common areas of concern is for charges of negligence, which is considered malpractice in professional endeavors. If a client is to win such a claim against you, he has to establish four elements: (1) that you owed him a duty (that he was your patient; you had a contract with him); (2) that you breached that duty; that you negligently failed to do what you should have done or did something wrong; (3) that he suffered an injury; (4) there was a causal relationship between your breach of duty and his injury. However, the law does not expect us to be infallible. If you are not careless or negligent an incorrect diagnosis or treatment may be unfortunate, but it is not malpractice. The Courts do recognize responsible best judgement and bases decisions on the standard of what is "reasonable and prudent."

Another area of concern is breach of contract. The patient-therapist relationship from a legal point of view is a contractual relationship. It doesn't matter if you ever use the word contract, have anything in writing from the client or receive a fee. When you agree to deliver services to the client and he or she agrees in words or behavior, a contract exists. And with that contract may go warranties, implied or expressed. Implied warranties may include: (1) that you have the skill and knowledge common to a member of your profession in this community and (2) you will use it appropriately. In regard to expressed

Budget Cuts Affect Hennepin Corrections

June 30, 1981

Dale Ackmann
Hennepin County Administrator
A-2300 Government Center
Minneapolis, Minnesota 55487

Dear Mr. Ackmann:

It has been brought to the attention of MCCA that 8 community corrections programs contracted through Hennepin County Court Services have been notified of a budget cut for 1981.

Prior to the actual administrative cuts, the belief among Court Services personnel was that community corrections programs would not be affected and programs relied upon these assurances.

Court Services has a budget of approximately \$14,434,000 and is faced with cuts of \$371,000 or 2.5% of their budget.

Community Corrections programs who contract with Hennepin County Court Services have a total budget of approximately \$1,300,000 which represent 9% of Court Services budget.

Of the \$371,000 in cuts, Court Services is passing \$76,000 on to Community Corrections programs. This represents 21% of their cut.

If the proposed amendments are implemented, Court Services will face a reduction of available treatment slots and it is quite likely that they same clients will be receiving more costly services from some other portion of the criminal justice system.

Also, it is our understanding that Community Services Department of the Bureau of Social Services is facing a similar cut back and has elected not to cut any contracted programs. We feel that Community Corrections programs are being asked to bear a disproportionate amount of the cut and respectfully request that the proposed amendments to their contracts be reviewed and rejected.

Thank you for your consideration of this matter.

Gail Johnson
President

warranties, don't make promises you can't keep. You can't promise a cure. You can't even promise that you would never disclose information about the client.

The problem of warning the community may be a difficult one. Should we report a potential problem to an employer or others in the community and risk a breach of confidentiality? We have to use our own best judgement keeping in mind that if injury does occur, damages for failure to report may be more severe than for breach of confidentiality.

ty.

The most common advice for avoiding being found negligent is to document, record what you are doing and why. And keep the records. The statute of limitations for such matters ranges from two to six years. This could be even longer since it does not expire for minors until one year after their age of majority. To keep the records for ten years would be playing it safe.

The question of liability-immunity is important. Minnesota does not recognize

County Community

July 7, 1981

Ms. Gail Johnson, President
Minnesota Community Corrections Association
2344 Nicollet Avenue South
Minneapolis, Mn. 55404

Dear Ms. Johnson,

Thank you for your letter of June 30. I share your concerns over the budget reductions, and am sure you realize the fiscal restraints which compelled the Board to review and reduce the total 1981 budget.

In regard to the specific points you raised, I would like to offer some comments which may be helpful to you.

The total reduction in the 1982 budget was \$11.1 million, or an average of almost 7% of the 1981 departmental property tax requirement. Those reductions were made after a great deal of discussion and analysis of their impact on County Services. I believe that a reduction of only 2.5% in the Court Service budget reflects the concern we have over community corrections related activities.

The rationale for the reductions in the community corrections program reflects the facts that alternatives for those activities are available to the County; and the relative priorities of the Bench. If, in fact, these reductions would result in a need to utilize more costly treatment methods than provided by the agencies you represent, I expect that the Bench would seek other alternatives or request the Board for additional funding.

These reductions reflect the County's priorities of all services supported by the County, regardless of whether those services are contracted or County provided. I therefore do not believe that it is relevant to compare the proportionate share of contracted services of Court services, with those of another department such as the Bureau of Social Services.

I hope these comments are helpful to you. If you would like to discuss this matter further or if you would like additional information, please contact me.

Very Sincerely Yours
Dale Ackmann

County Administrator

sovereign immunity of the state, so it is possible to sue a state agency. However, judges do have judicial immunity from civil action. This makes it more important to document all concerns and keep the Court informed. If a critical situation should arise, a written history of the circumstances could be very helpful.

We in Minnesota have been fortunate to have avoided serious claims against our corrections professionals. The best advice available for all of us is to become as good as

we can at what we do-practice-competently and document, document, document.

The **MCCA CORRECTIONS DIRECTORY** - A state Guide to Community Based Correctional services is available through the MCCA office at 666 Marshall Ave., St. Paul, MN 55104. The cost is \$5.00. Please make checks payable to the MCCA.

Minnesota Meets Requirements

News Release From Crime Control Planning Board

"Minnesota is in full compliance with the deinstitutional requirements of the federal Juvenile Justice and Delinquency Prevention Act," Robert J. Griesgraber, Chairman, Crime Control Planning Board (CCPB) announced. Charles A. Lauer, Acting Administrator for the Office of Juvenile Justice and Delinquency Prevention (OJJDP) informed Griesgraber that "OJJDP has determined that Minnesota demonstrated a reduction in the number of status offenders and nonoffenders held in juvenile detention or correctional facilities." According to the OJJDP review and analysis of the 1980 Monitoring Report on detention in Minnesota, Lauer said, the OJJDP finds that Minnesota is in full compliance with deinstitutional requirements.

"Status offenders," according to Griesgraber, "are juveniles who are found delinquent for behavior which would not be criminal if they were adults." Examples include running away, truancy, and incorrigibility. The OJJDP provides federal funds for delinquency prevention and rehabilitation programs in Minnesota, Griesgraber explained. However, eligibility for these funds, which are administered by the CCPB, requires that states develop alternatives to secure detention for status offenders and nonoffenders (e.g., alternatives to keeping status offenders in jails). By achieving full compliance with the federal requirements, Minnesota will continue to be eligible for OJJDP funds.

"Deinstitutionalization of status offenders has been a major objective of the Crime Control Planning Board and the Juvenile Justice Advisory Committee, which oversees the juvenile justice program in Minnesota, as well as of the federal agency," Griesgraber said. "Achieving full compliance with the federal requirements for deinstitutionalization under the Juvenile Justice and Delinquency Prevention Act has taken a concerted statewide effort. The cooperation of the juvenile court judges and of county and municipal law enforcement have greatly helped us achieve this objective," Griesgraber added.

Research Study Done On Recidivism Of Nexus Clients

By: Dean Welgel

In May of this year, Nexus contracted with the Office of Delinquency Control at the University of Minnesota to develop a 2 year follow-up study on adult client recidivism. This study, directed by Pete Rode, examined 68 adult clients who left the program during 1978 and 1979 through successful completion, absconsion, or other types of termination.

Recidivism rates were then based upon a 12 month and 24 month follow-up period. The length of stay among the population studied ranged from 2 days to two years. The results were based on sixty of the sixty eight clients whose court records were available through the Bureau of Criminal Apprehension. For the remaining eight, the BCA reported having no record or that the records were "nondisclosable."

For the purpose of the study, convictions for new criminal offenses and convictions for probation violations were considered. Convictions for probation violations do have an effect on the way recidivism data is interpreted. Former clients who were convicted only of probation violations were typically clients who had absconded or had been terminated for violation of program rules. As a result of their violation, the original prison sentence was re-imposed and the former client was sent to St. Cloud or Stillwater. Therefore, the clients were no longer at risk for new criminal activity because they were removed from the community.

The result of the 12 month follow-up indicated that only 10% of the 60 clients were convicted of new felony offenses. An additional 37% were convicted only of probation violations and were sent to prison. The remaining 53% had no new convictions and no probation violations.

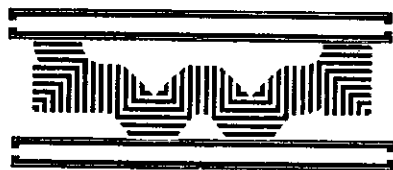
The second part of the study compares

"length of stay" with new felony convictions, violation of probation only, and no new convictions. Again, the analysis indicates a correlation between "success", as defined by no new convictions, and length of stay. Those clients who stayed in the program 60 days or less had a 57% chance of not receiving a new felony or probation violation conviction.

Those clients who remained in the program more than one year had an 88% chance of non-recidivism.

Programs like Nexus are continually defending the "length of stay" issue in terms of cost effectiveness, rehabilitative value, and long-term effectiveness. Of the clients who successfully completed the program, only 12.5% went back into the criminal justice system during the 12 months following termination. Of those clients who successfully completed the program and were out for 24 months or more at the time of the study, only 9% went back into the system, for a new felony or probation violation conviction.

In summary, the type of program termination - successful completion, absconsion, or other (administrative, etc.), as well as the length of stay, seem to have a positive correlation between whether or not a client remains out of the criminal justice system for a period of up to two years.



begin, or work in, such programs as Alpha House, Freedom House, NEXUS, Project Elan, Portland House, Reshape, Meridian House (Oshkosh, Wisconsin), Gyst House (Little Rock, Arkansas), Anoka State Hospital, Hennepin County Adult Corrections Facility, Prodigal House, and the Veterans Administration Hospital, to name a few.

Chrysalis Counsels Women

Chrysalis offers a variety of programs and services for women, ranging from chemical dependency treatment to legal advice, at 2104 Stevens Avenue South, Minneapolis.

The outpatient chemical dependency program takes a holistic approach to chemical dependency treatment. In addition to the more usual approach to chemical dependency treatment, the early phase focuses on stabilizing the body's biochemistry. The program includes glucose tolerance tests and nutrition education. The later phase is more individualized, emphasizing planning for the client's future.

Chrysalis also offers chemical dependency assessment for women, with referrals sensitive to the specific needs of women.

For clients who have children aged 6 to 13, Chrysalis offers a Child Treatment Program. Two evenings a week the youngsters learn about chemical dependency problems and family relations.

Chrysalis also offers support groups for a variety of subjects, including battered women, uncoupling, self-worth, and for older women.

The Legal Assistance for Women program offers a free interview with a lawyer for advice and referral. There are also informational clinics concerning divorce and other legal issues of particular concern to women, including sexual harassment.

The Chrysalis mental health peer counselling phone is available weekday, 9:00 a.m. to 8:00 p.m. at 871-2603

Men often treat others worse than they treat themselves, but they rarely treat anyone better. It is the height of folly to expect consideration and decency from a person who mistreats himself.

Thomas Szasz

Eden House is truly one of the cornerstones of the community corrections movement.

We hope you will all join Eden House staff, family and others in this celebration.

For further information, including registration forms for the race of tickets to the dance, contact **Dan Cain, Program Director, Eden House at 338-0723.**

EDEN HOUSE cont.

In April 1972, it became the first CD/CJ program to accept parolees directly from State institutions. In 1973, the first of its graduates went on to direct another area community corrections program. Since that time, Eden House graduates have gone on to

Atlanta Conference Set

The following announcement was received from former MCCA Director Tom Christian.

The National Center for State Courts is presenting a symposium entitled the "Economics and Politics of Crime, Courts and Corrections...Strategies for the 80's". It will be held October 18-19-20, 1981, at the Dunfey Atlanta Hotel, Atlanta, Georgia. It is designed for judges, legislators, correctional personnel and concerned citizens. Topics include: construction design and costs; pertinent legislation; federal intervention; screening for risks; sentencing models, and the state of the art in alternatives to incarceration. Speakers are: the Honorable Clement Clay Torbert, Jr., Chief Justice of the Alabama Supreme Court; the Honorable Anthony Alaimo, Chief Judge U.S. District Court, Southern District of Georgia; Ellis MacDougall, Arizona Commissioner of Corrections; William Nagel, the American Foundation in Florida; Dr. David Fogel, Department of Criminal Justice, University of Illinois; Dale Parent, Minnesota Sentencing Guidelines Commission; L. Michael Getty, Illinois State Representative; Dr. Hubert Eber, psychologist; Joan Mullen, ABT Associates; Allen Breed, National Institute of Corrections; and Dr. Thomas Christian, National Center for State Courts.

Registration cost is \$55/65. For more information contact **The National Center for State Courts, Suite 119, 1600 Tullie Circle, N.E., Atlanta, Georgia 30329 (404/634-3366).**

Bon Voyage Barbara

The Board of Directors regretfully accepted the resignation of Barbara Chester, Ph. D. from it's membership.

Barbara was an Assistant Professor of Criminal Justice at St. Cloud State University and also served on the Metro Council and Hennepin County Criminal Justice Coordinating Council. She has recently accepted a teaching position through the University of Maryland in Berlin, Germany.

We appreciate Barbara's past service with MCCA and wish her luck in her new endeavor.

Juel Fairbanks Expands Service

Juel Fairbanks Aftercare Residence provides a range of chemical services to American Indians. The new services we have recently developed are (1) Information, referral and short-term counseling; (2) Primary outpatient chemical dependency treatment; and (3) Three Quarterway House.

"The Three Quarterway House provides a less structured, small-group living arrangement for residents. The purpose is to provide extended support to those individuals who have completed the Halfway House program and are still in need of support to make the transition from institutional living to independent community living."

At Juel Fairbanks, we have the concern for survival of our services and programs during the current Economic Recovery Plan stages. We know that there are other programs who share this concern and we are interested in knowing what steps you are taking to deal with these issues. Please call Carlos Espejo at 644-6204 with you ideas for future survival.

It is easier to do one's duty to others than to one's self. If you do your duty to others, you are considered reliable. If you do your duty to yourself, you are considered selfish.

Thomas Szasz

Reporting Laws Affect Counselors

A law became effective January 1, 1981 which makes it mandatory to report abuse or neglect of vulnerable adults who because of physical or mental disability or dependency on institutional services are vulnerable to abuse or neglect. The report of such maltreatment is to be made to the local police, sheriff or welfare agency. A person who fails to do so is guilty of a misdemeanor and may be liable for damages caused by the failure.

Affected by this law are facilities licensed by the Department of Health or Public Welfare. Each facility must set up abuse prevention plans. Any professional who is engaged in the care of vulnerable adults, in education, law enforcement or other occupations listed in the law (Chapter 542) are required to make such reports.

Most of us are aware of the older state law requiring the reporting of maltreatment of minors. There is also the Federal Statute Threats Against the President and Successors to the Presidency which says that anyone who knows of an offense against the United States, including threats against the President, "receives, relieves, comforts or assists the offender in order to hinder or prevent his apprehension" is an accessory after-the-fact. This law has been interpreted to mean such threats should be reported to the Secret Service.

**Our New Address
and Phone Is
666 Marshall Avenue
St. Paul, MN 55104
292-1131**

MINNESOTA COMMUNITY CORRECTIONS ASSOCIATION
666 Marshall Avenue
St. Paul, MN 55104

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