

SERVING SINCE 1992

RESTORE

COMMUNITY CORRECTIONS AND RECOVERY SERVICES

April 1, 2024

Cass County Commissioners
211 9th St S
Fargo, ND 58103

Dear Commissioners,

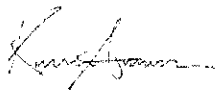
RESTORE has been monitoring unsupervised probation sentences for the East Central Judicial District Court for over 30 years. This service consists of meeting with offenders to explain conditions of their sentence, offering resources to fulfill those conditions, verifying legitimacy of completions, tracking multiple timelines for each case, submitting Affidavits for offenders in non-compliance, and attending Order to Show Cause hearings to testify and provide evidence of non-compliance.

In 2023, RESTORE monitored a total of 548 cases for compliance with court ordered chemical dependency and mental health evaluations, domestic violence assessments, and community service. An affidavit of non-compliance was submitted in 59% of the cases monitored. RESTORE's only current source of funding for this program is the fees paid by the offenders, which was approximately \$20,000 in 2023. The operating expenses for supporting this program are \$70,000 per year. Our community is at risk of losing this program due to lack of funding, which is expected to significantly impact the work of our judicial system and offender accountability.

RESTORE is asking for Cass County to financially support this program to continue this service to our judicial system and promote accountability for those committing crime in our county. Funds would supplement the fees paid by the offenders to continue operating the program. While RESTORE has thoroughly valued being able to serve our community in this capacity for many years, if funding is not available, we will be forced to transition out the program by summer 2024.

We are grateful for your consideration in allocating funds towards our organization and are happy to provide any additional information that would help in making this decision to support our vision of recovery, accountability, and community.

Sincerely,



Kelsey Augustin | Executive Director
director@restore-inc.org | 701-997-4661

What does monitoring consist of at RESTORE?

Every day, RESTORE goes through each case that received a Criminal Judgment or an Order Deferring Imposition of Sentence in Cass County from the day prior, and creates files in Microsoft One Drive for those who RESTORE are ordered to monitor. RESTORE sets due date tasks in Microsoft To Do for any deadlines, such as evaluations, treatment completions, or expirations of unsupervised probation.

Once the offender initiates contact with RESTORE to open their file, an appointment is scheduled for them to come in, pay their \$50 fee, and sign any necessary releases of information. During that appointment, RESTORE also explains what the court has ordered them to do, offers resources or helps schedule appointments, and provides them with their due dates. If it is a condition of domestic violence programming, RESTORE also conducts their intake for the Restoring Equality Program or refers them to the Rape and Abuse Crisis Center if they are female. If the offender identifies also struggling with mental health and/or substance use that is significantly impacting their daily living, RESTORE assists them with applying for the Community Connect or Free Through Recovery programs to receive a Care Coordinator and Peer Support for added support.

Historically, RESTORE has not had a Licensed Addiction Counselor onsite to conduct Chemical Dependency Evaluations, and offenders with such conditions were referred to outside agencies to complete this requirement and provide verification to RESTORE. If RESTORE continues operating this monitoring program, a plan has been established with Prairie St. John's to have one of their Licensed Addiction Counselors onsite at RESTORE to conduct said evaluations. Our hope is by streamlining these services, it will increase compliance and lower recidivism rates, saving costs to the community. This plan can only be executed if additional funding is secured. Enclosed you will find a letter from Prairie St. John's detailing this plan.

Once an offender completes a condition of their sentence, they are required to have that provider send verification to RESTORE. RESTORE then verifies the authenticity of the completion and files it for the court. RESTORE only accepts domestic violence programming from agencies in compliance with the North Dakota Battering Intervention Standards.

RESTORE makes attempts to contact the offender to remind them of their due dates prior to submitting an Affidavit of non-compliance if they have not completed the requirements. If the Affidavit is needed, RESTORE composes it, requests the hearing dates, and then either attends in person (if staff is available) or sends an update prior to the hearing regarding any progress or changes in the status of the compliance. If the offender meets requirements prior to the hearing, RESTORE composes and submits a dismissal on behalf of the State.

For offenders that never contact RESTORE to open their file, RESTORE never receives payment for all the monitoring that is still completed.

RESTORE currently operates this program through Microsoft One Drive, Excel, and To Do. Not having a case management system in place leaves room for human errors and creates additional work for gathering relevant data at any given time. If able to continue operating this program, RESTORE intends on investing in a more efficient case management system.



February 29th, 2024

To whom it may concern,

My name is Ty Hegland, and I am the CEO of Prairie St. John's. Prairie St. John's is a 132-inpatient bed psychiatric facility providing mental health and substance use disorder services for children, adolescents and adults. We also offer a full psychiatric and addiction continuum of care beyond inpatient, including partial hospitalization, supportive housing, intensive outpatient services and clinic services. We serve people in the entire region with most patients coming from North Dakota and Minnesota.

Our executive team started meeting with RESTORE Executive Director Kelsey Augustin in the summer of 2023 to discuss a more effective way to serve the individuals they see. We had an agreement in principle to conduct the substance use assessments for RESTORE via dedicated hours with one of our Licensed Addiction Counselors. We could then offer these individuals treatment within our continuum of care or refer them to providers of their choosing.

RESTORE has over 180 individuals referred to them per year. They sought out a partnership with us as they witnessed many individuals referred for court-ordered services did not follow through or had difficulties managing the many options offered to them. Benefits to such an agreement would be increased quality of life via better outcomes for the individuals identified and likely lower recidivism rates, saving costs to the community.

It is our understanding that our community is at risk of losing the important monitoring services provided by RESTORE if additional funding is not found in a timely manner. We truly believe that we can work effectively together with RESTORE to increase efficiency and access to the critical services these individuals need if they receive the funding necessary to continue offering their monitoring services. We encourage you to consider allotting funds to RESTORE to compensate for the time and personnel that these monitoring services require. Thank you for your time in reviewing this letter. My contact information is below if you have any questions.

Sincerely,

Ty Hegland, CEO

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701.476.7200

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www.prairie-stjohns.com

Offering Hope
and Healing to
Individuals Facing
Behavioral Health
and Substance Use
Challenges.

What are the expected impacts if the community loses this program?

Community:

- 59% of the cases in 2023 had Affidavits of noncompliance filed. It is more likely than not that the offender is not self-motivated to follow through on the conditions of their court order. The purpose of the conditions being ordered, such as chemical dependency or domestic violence treatment, is to address the underlying risky behaviors behind the criminal act. If those behaviors aren't being addressed, it is likely that recidivism will increase.
- Most of the offenses RESTORE monitors are DUI and domestic violence cases, which either have a victim or have potential to have a victim. If the offenders are not addressing the underlying risky behaviors, the danger to society will likely increase.
- Research has shown that it costs the community more money to invest in incarceration or criminal justice proceedings than it does community corrections.

Judicial System:

- Who will be responsible for taking on the 1.0 FTE of work to monitor these cases?
- If no one is able to monitor, how will these offenders be held accountable for being in contempt of court?
- There will likely be a decrease in Order to Show Cause hearings if there is no monitoring but an increase in all other hearings if there is an increase in recidivism.
- There are laws in place that make it mandatory for a Judge to order certain conditions for offenses such as domestic violence or DUI. How will that be enforced if no one is monitoring the cases?

Offenders:

- Offenders are smart and know the system. If they know there will be no consequences for not following through, what motivation do they have to follow through?
- Many of the individuals we see are not thoroughly explained what they need to do. How many will not comply simply because they aren't sure what they need to do or the process of showing they completed it?
- If underlying risky behaviors aren't being addressed, they are likely to reoffend.

Why does RESTORE need Cass County to fund this program?

In 2024, the operating expenses for supporting the compliance monitoring program are expected to be \$70,000. This total includes 1.0 FTE for personnel as well as approximately 10% of general operating expenses. If RESTORE monitors the same number of cases in 2024 as 2023, that is approximately \$130/case to support this program for unsupervised probation.

Currently, RESTORE's only source of funding for this program is the fees paid by the offenders, which was \$18,026 in 2023. RESTORE has been making it by on a shoestring budget by using funding from other programs to supplement this program, such as care coordination and community service. RESTORE received a significantly large grant in 2007 from the Otto Bremer Foundation that has been able to get us by year to year, as well as a Paycheck Protection Program grant in 2020. As RESTORE's funding in the other programs is decreasing, it is not sustainable for us to continue operating this program without funding from the County which the service is supporting.

In 2022, RESTORE was forced to raise wages over 30% to match the current market, stay competitive, and show value and appreciation to our employees. The necessary increase in expenses with no increase in income for the program has caused a significant strain on our budget. When RESTORE raised wages in 2022, we also met with the Court Administrator for Cass County to request funding assistance but our request was ultimately declined.

RESTORE believes this is a County issue and not a State issue because it is not a state-wide program at this time and the cases monitored are all misdemeanor, unsupervised probation cases. These cases are committed to the custody of the Cass County Sheriff, whereas supervised probation cases are committed to the custody of the Department of Corrections and Rehabilitation. RESTORE has made attempts in the past to receive funding at the State level and requests were declined for those reasons.

RESTORE is asking for \$70,000 in County funding to supplement the fees paid by the offenders for the 2024 year. The funding will allow RESTORE discretion in waiving fees for indigent individuals, flexibility in cost-of-living adjustments for wages and implementation of a more effective case management system to track relevant data, and to continue operating this service for our community.

In addition to the \$70,000 for 2024, RESTORE will need a guarantee to be on the annual budget moving forward. RESTORE currently needs to hire and train a Community Corrections Agent to operate this program and is not willing to do so for just the remainder of the 2024 year.

If the County is unable to fund the program at this time, RESTORE will transition out the program immediately. This will consist of a dismissal or bench warrant quash for hundreds of re-opened cases for non-compliance and all offenders will be directed to the Clerk of Court for questions or completions regarding their sentences. RESTORE will continue to operate the community service and domestic violence programs, as funding for those programs is not currently at risk.

2024 Budget

Income

Community Connect	140,800.00
Free Through Recovery	67,664.00
Grants	50,000.00
Program Fees – Community Service	10,000.00
Program Fees - Monitoring	17,000.00
Program Fees – Restoring Equality	40,000.00
	325,464.00

Expense

Personnel	277,700.00
General Operations	100,000.00
	377,700.00

Net income:

-52,236

2023 Profit/Loss

Income

Community Connect	205,021.00
Free Through Recovery	49,245.00
Grants	30,921.63
Program Fees - Community Service	11,192.00
Program Fees - Monitoring	18,026.00
Program Fees - Restoring Equality	11,004.14
Gap Funding Reimbursement	17,473.51
Other	4,152.86
	347,036.14

Expense

Personnel	248,859.52
General Operations	72,595.14
	321,454.66

Net income:

25,851.48

2022 Profit/Loss

Income

Community Connect	54,876.00
Free Through Recovery	23,000.00
Grants	30,277.35
Program Fees - Community Service	17,765.75
Program Fees - Monitoring	19,485.00
Gap Funding Reimbursement	5,329.58
Other	187.54
	150,921.22

Expense

Personnel	115,711.43
General Operations	39,744.40
	155,455.83

Net income:

-4,534.61