

**Probation**

**Status Offense**

**Petition**

**CCA**

**Restitution**

# **HOW TO SPEAK CORRECTIONS**

**A GLOSSARY OF  
COMMONLY USED  
TERMS IN  
CORRECTIONS**

**Originally completed by Hennepin County Community Corrections  
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**Neglect**

**Pre-Sentence Investigation**

**Rule 25 Assessment**

**Adjudicated** - The term used in juvenile court to indicate that a juvenile has been found to commit a delinquent act.

**Admit**-The equivalent of a guilty plea in adult court. Usually the child's initial hearing at which time the court insures that the child and parents understand their rights, the charge and possible consequence. The child must admit or deny the charge at this time.

**Apprehension and Detention Orders**-Probation agents have the authority to apprehend and detain adult and juvenile offenders if they violate conditions of probation and/or are a flight risk. They can be held for up to 72 hours and then must either appear in court for the violation or be released as a discipline measure. M.S.A. 244.195.

**CHIPS**-Children in Need of Protection or Services. These are children whose cases have been brought into juvenile court, usually by the social services agency, as the result of a dependency or neglect petition.

**Commitment**-The legal action taken by the juvenile court when it has Hearing been determined by the court that the adjudicated juvenile should be placed in a state juvenile corrections facility operated under the jurisdiction of the Commissioner of Corrections. In doing so, the child's custody is transferred to the Commissioner.

**Delinquent**-A child who is at least 10 years of age, but not more than 18 years of age who has committed an act that would be a crime if committed by an adult. M.S.A. 260B.001

**Delinquency**-A term which describes a juvenile's behavior that is judged to be anti-social or in violation of the law. M.S.A. 260B.001

**Deny**-The equivalent of a not-guilty plea in adult court.

**Dependency**-A term which describes a child whose parents are willing, but unable, to provide necessary care and supervision.

**Detention**-The temporary holding of a child, in either a secure or non-secure facility, until the next appearance in juvenile court. Typically a juvenile is held no longer than eight working days. M.S.A. 244.195

**Detention Hearing**-The hearing at which it is determined by the juvenile court judge if the child is to be held in detention until the next court appearance.

**Disposition Hearing**-The hearing at which the juvenile court judge decides appropriate sanctions and probation conditions for a juvenile offender. Similar to a sentencing hearing in adult court.

**Extended Juvenile Jurisdiction (EJJ)**-This refers to a juvenile who has committed a serious crime that had they been an adult would be facing a prison sentence. The juvenile must be between 14-17 years of age at the time of the crime. The judge sets an adult and juvenile sentence and places them on juvenile probation. If they violate the terms of sentence they can be sent to prison. This type of case the juvenile can remain on probation until they turn 21 (19 on all other cases). M.S.A. 260B.130

**Guardian ad Litem**-A person appointed by the juvenile court to represent the best interests of a child in a court proceeding. M.S.A. 260B.163

**Neglect**-A term which describes a child whose parents neglect or refuse to provide needed care and supervision of their child.

**Office of Juvenile Release**-The office within the Minnesota Department of Corrections that serves as the 'paroling' authority for juveniles who have been committed to the Commissioner of Corrections.

**Parole**-This refers to juveniles who are released by the Commissioner of Corrections from the state juvenile correctional facilities in Red Wing and/or the facility designated by the DOC for female offenders. Similar to the status of an adult, who is released from a state prison, these juveniles are supervised in the community by juvenile probation officers.

**Petition**-the legal document which describes the alleged offense committed by the child. Similar to a complaint in the adult system. M.S.A. 260B.141

**Pre-dispositional Report**-Also known as a Social History, this is a report to the court regarding the juvenile's criminal, family, work, school/employment history along with recommendations for the court to consider. Many times this is completed on more serious offenders who have been adjudicated

**Preplacement Screening Team**-This is a group of professionals familiar with child placement options who review potential out of home placements for juvenile offenders. The probation officer updates the group on what has happened in the community and what services have been tried and what placement is being recommended. Typically this group makes a recommendation supporting or offering other suggestions to the probation officer and to the local Judge. M.S.A. 260B.157

**Probation**-Probation means a court ordered sanction imposed upon an offender for a period of supervision no greater than set by statute. It is imposed as an alternative to confinement or in conjunction with confinement or intermediate sanctions. The purpose of probation is to deter further criminal behavior, punish the offender, help provide reparation to crime victims and their communities, and provide offenders with opportunities for rehabilitation. M.S.A.609.02

**Probation Officer**-A professional who provides supervision, holds offenders accountable, provides recommendations to the court, provides a variety of reports to the court and counsels juveniles who have been referred to the probation department by the Court, Law enforcement, County Attorney, or another Probation Agency.

**Reference**-The legal procedure for determining whether a juvenile's hearing case should be transferred from juvenile court for trial in the adult court system.

**Status Offense**-Conduct which is illegal for a child, but not for an adult, such as truancy, curfew, possession of tobacco, underage use of alcohol, etc.

**Stay of Adjudication**-When a child has been adjudicated delinquent, but the juvenile court has determined that the circumstances of the case warrant the child being given a "second chance", the court can suspend, or stay, the sentence. If the child satisfies all conditions set forth by the court, the court can dismiss the charge and there will be no record of the adjudication.

**Termination**-The order of the family court which terminates the Parental Rights and the legal relationship between parent/s and a child. This can be either voluntary or involuntary depending upon the circumstances of the case and the needs of the child.

**Trial**-When the charge stated in the petition is denied by the child and not dismissed by the juvenile court, the judge hears and decides the case. Jury trials are not held in juvenile court.

**Youth Level of Service/Case Management Inventory (YLSI)**- This assessment tool is designed to aid professionals for assessing youthful offenders. It is designed to determine risk and need level in certain adolescent offenders. It includes a case plan and is based upon the General Personality and Social Psychological Model of Criminal Conduct (Andrews and Bonta, 1998; Andrews, Bonta, & Hoge, 1990).

## **ADULT JUSTICE SYSTEM TERMINOLOGY**

**Challenge Incarceration-**This is a fairly newly developed program operated at the Moose Lake Correctional Facility by the Department of Corrections which emphasizes discipline, education counseling of convicted felons. Offenders may drastically reduce their prison sentence if they qualify and complete this program, also called "boot camp" M.S.A. 244.17

**Community Work Service-**A probation sanction under which an offender is allowed "work off" his/her fine or reduce jail time by volunteering for unpaid work or being supervised by a corrections staff at a non profit agency such as a hospital, nursing home, church, school, etc. for a specified number of hours.

**Conditions of Probation-**Community-based sanctions imposed on an offender who has been placed on probation by the court. These conditions vary widely depending upon the nature and circumstances of the offense. Some common examples of conditions are; pay restitution to the victim, complete outpatient chemical dependency treatment, have no new violations for one year, report to your probation officer as instructed, submit to random UA testing, serve local jail time, pay fines and fees, complete and education class such as cognitive skills, anger management, etc.

**Correction Fee-**A fee charged to offenders convicted of a crime to offset the costs associated with supervision. The typical fee for an adult offender under supervision to the Department of Corrections is approximately \$120 per year of supervision. M.S.A.244.18

**Day Fines-**A type of fine where the amount the offender must pay is based on their financial means, rather than a specific dollar amount. Under a Day Fine system, an offender is sentenced to pay a fine equal to a certain percentage of their income for a set period of time. M.S. 244.164

**Departures-**The Minnesota sentencing guidelines provide the court with a presumptive sentence for the convicted felon based upon the current offense and prior record. The court has the option to depart from those guidelines and sentence the offender to more or less time than recommended by the guidelines; which is known as a durational departure. For example, the court could sentence an offender to prison, even though the guidelines indicate probation is appropriate, or the reverse could occur which is called a dispositional departure. The judge must put in writing there reason for the departure.

**DOC-**This refers to the Department of Corrections which oversees the correctional operation of state run prisons and state run probation services. The DOC is also seen as the agency that develops standards and policies for correctional services. They are not in

charge of CPO counties or CCA counties, however, may administer grants and provide assistance.

**Electronic Monitoring-**Rather than a confining a convicted person in a county jail or workhouse, an offender may be placed on electronic home monitoring. This may include a bracelet, random telephone calls, alcohol monitoring or global satellite positioning. This may be done on a pretrial offender, in lieu of jail, or as a condition of probation.

**Good Time-**Offenders serving time in a local county jail or a state prison, may receive up to one third of there sentence reduced. Offenders may lose this good time if they do not follow institution rules. Good time greatly assists the prison operation, as offenders want to be released as soon as possible and therefore do not want to lose this privilege. M.S.A. 244.05

**Intensive Community Supervision-**A highly intensive program of supervision in the community for certain offenders that may include sex offenders, repeat DWI offenders, violent offenders released from prison. These programs are run by State, local and private vendors under contract with the DOC. M.S.A. 244.14

**Intermediate Sanctions-**A sanction that is less severe than straight incarceration, yet more stringent than straight probation. Fines, community work service, electronic monitoring, etc., are all intermediate sanctions.

**Interstate Compact-**This agency at the Department of Corrections assists offenders who wish to leave the state of Minnesota and reside elsewhere and for offenders who wish to move to this state. Probation officers must submit a request and have it accepted by the other state prior to an offender relocating. Many times this can take months to occur.

**LSI-**Level of Service Inventory is conducted on many adult offenders by probation staff. This is a validated assessment tool that determines risk and need level.

**Office of Adult Release-**The office within the Minnesota Department of Corrections which serve as the 'paroling' authority for adult convicted felons who have been sent to prison.

**Parole/Supervised Release-**Since abolition of the Parole Board in Minnesota, parole is now called supervised release. It refers to the status of a convicted felon who has been released from a state correctional facility. It is similar to probation in that a supervised releasee has certain conditions, which he/she must meet in order to remain in the community. These conditions, however, are set by the Department of Corrections Office of Adult Release not by the District Court. Violations of release are reported to the Office of Adult Release by a probation officer, where a decision is made as to the

seriousness of the violation and whether or not to revoke the release and return the offender back to prison.

**Pre-sentence Investigation-**The formal report prepared for the court by a probation officer which provides, various background information Report and assessment data on a convicted offender, which the court uses in deciding the appropriate sanctions and follow-up treatment/programming needs of the convicted offender.

**Pretrial Hearing-**The first hearing where the offender is explained the charge and release terms are discussed. This is where bail may be determined along with release conditions that could include electronic monitoring, supervision, drug testing, etc.

**Restitution-**A sanction ordered by the court as one of the conditions of probation. It involves the payment of money by the offender to the victim of the crime. The 1992 Crime Bill gave victims the right to request restitution. Victims may be reimbursed for property damage, loss of work, counseling, etc.

**Revenue Recapture-**A common practice in corrections to collect unpaid fines or restitution. A report is filed with the state that lists all unpaid fines or restitution. Any state tax rebates are confiscated and sent to the county where the recapture was signed until the total is paid in full.

**Rule 25 Assessment-**This is a chemical dependency assessment conducted by a certified assessor who can also be a probation officer. This assessor must use state guidelines in order to determine level of alcohol problem the offender may have.

**Sentencing to Service (STS)-**A sentencing option available to most Courts wherein a convicted offender "works off" his/her fine by performing a specified number of hours of public service work under the supervision of a work crew leader employed by the state or a local corrections agency. Some courts also sentence offenders to STS rather than jail or workhouse time.

**Sentencing Guidelines-**A system of determining and setting out presumptive sentences for persons convicted of crimes. Minnesota's Sentencing Guidelines apply only to felony offenses. The guidelines, developed by an 11 member legislatively mandated commission, determine which offenders should go to prison and for how long, and which ones should remain in the community. The various recommended sentences are set forth on a grid, which takes into account the severity of the crime and the offenders criminal history.

M.S.A. 244.09

**Suspended Sentence-** The court also has the option of imposing the maximum sentence allowed by law, but then ordering that only part of it be carried out. For example, on a first time DWI conviction the court may order a \$700 fine, but suspend

\$400 of it if the offender agrees to perform 40 hours of Community Service, attend a DWI class and commit no new offenses for one year. If the offender fails to comply with these lesser, sanctions, the court has the option to lift the suspension and require the offender to pay the remainder of the fine.

**Truth In Sentencing**-Effective August 1, what now is commonly referred to as good time, pertains primarily to local jails and workhouses. Most prison sentences will be bifurcated, meaning that the court will sentence someone to a specified period of time in prison and a specified period of time on supervised release. For example, if the sentence is 36 months, the court will sentence the offender to 24 months in prison and 12 months on supervised release. Institution rule violations can result in spending more time in prison and less time on supervised release, but the total prison time and supervised release time in this example cannot exceed 36 months.

**Victim Offender Mediation**-A process where the victim of a crime and their offender come together with a trained mediator to discuss the crime. This process is an attempt to restore the victim and get answers to questions. This process is used primarily for property crimes.

**Work Release**-For those offenders sentenced to a county jail or workhouse who are employed or employable, and do not pose a threat to the public safety, the sheriff or jail administrator, they may allow the offender to be released from the facility in order to continue their employment. The inmates return to and remain in the facility at the end of each workday and on weekends. These inmates are generally charged a fee to pay the costs of their room and board while on work release.

**Workhouse**-A correctional institution operated by a larger county or group of counties for the incarceration of persons convicted for misdemeanor, gross misdemeanor or felony offenses to which the court has sentenced them for up to one year. The difference between a jail and a workhouse is that workhouses hold only sentenced offenders. In those counties that do not have workhouses, both pre and post conviction offenders are held in jails.

## MISCELLANEOUS TERMINOLOGY

Every county in Minnesota has one of three operations to run their probation system. These three include: 1) Community Corrections Act (CCA), 2) County Probation Officer (CPO), and 3) Department of Corrections State Contract Counties (DOC) M.S.A. 244.19

**A. Community Corrections Act** counties receive a subsidy from the state and are responsible for developing, implementing and evaluating both traditional and non-traditional local correctional programs. Each of these jurisdictions adopts an annual plan and submits it to the Department of

Corrections. CCA counties comprise nearly 70% of Minnesota's population. Smaller counties band together and provide services to their region.

**B. County Probation Officer** The juvenile and adult misdemeanor probation officers are employees of the county and work at the pleasure of the Chief Judge. Each of these counties receives a subsidy from the state that pays up to one-half of the salaries of these officers. Felony probation and supervised release cases in these counties are handled by probation officers employed by the state.

**C. State Contract** The juvenile and misdemeanor probation officers are employees of the State Department of Corrections and work in an assigned county. The funding is just the reverse of CPO Counties in that the counties pay the state for up to one-half of the salaries of the officers.

**CrimNet**-CrimNet is an enterprise architecture that puts in place a statewide framework of people, processes, data, standards, and technology focused on providing accurate and comprehensive data to the criminal justice community in the State of Minnesota. It provides the means to put "the right data in the hands of the right people at the right time and in the right place".

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

**Court Services Tracking System (CSTS)**-This database is used in nearly every county in Minnesota. This system tracks client data, client contacts, client tasks, and allows for supervisor reports. In the future, all counties will be linked through this system.

**Restorative Justice**-An alternative way of thinking about crime and criminal justice. Crime is considered a violation of the victim and the community, in addition to a crime against the state. The offender becomes accountable not only to the state, but to the victim and community as a whole.

**Sentencing Circles**-Part of restorative Justice, sentencing circles have been around for a long time in the Native American Culture. Sentencing circles have many varieties, however it primarily runs by having the offender, victim, community members, family of the offender hear a case and sentence the offender accordingly. In some cases a Judge sits in on these as well.

**Trial Court Information System (TCIS)**-This is a data base system used by Court Administration and often linked to local probation offices. This system tracks court dates, court contacts, fines and restitution payments.