



# MAPSA MATTERS

Fall/Winter 2013

## Letter from the MAPSA President

Hello MAPSA Members,

I hope everyone had a great summer and you are enjoying the fall season. As the change in season is busy with children going back to school, apple orchards, pumpkin patches and cold weather; MAPSA has also made some changes within the organization.

I was elected as the new MAPSA President in spring 2013. MAPSA's outgoing president, Diana Wilkie left big shoes to fill; but I am excited and honored to fill this role. I wanted to thank the MAPSA Board and members for this opportunity. There have been exciting changes and additions to the board: Ronalea Lahti from Project Remand was appointed Vice-President as the prior Regional VI Representative; Linnea Brown from Project Remand was appointed the Regional VI Representative; and Norm Meier from Hennepin County Community Corrections has been appointed the Regional III Representative. Ronalea continues to be an outstanding board member and Linnea and Norm are wonderful additions to the MAPSA Board. The secretary

position remains open at this time. If you are interested in joining the board, please contact MAPSA.

MAPSA continues to meet monthly for Board Members and invites all MAPSA members to attend the meetings. Please contact the board if you are interested in attending for times and locations. Board members are excited to start work on upcoming projects and hope to expand the MAPSA committees. We have started planning the 2014 annual MAPSA Conference which will be held at the Mystic Lake Resort and Casino on May 1, 2014. We hope to top last year's conference; please send training topic requests to [mapsa@mapsa.us](mailto:mapsa@mapsa.us) or contact your regional representative.

I hope everyone is enjoying what is left of the warm weather.

Thank you,

Amy Olson

MAPSA President

### Region V and VII Openings

At this time MAPSA is still attempting to fill two openings. Regions V and VII are affected by this.



### Financial Report:

June 2013: \$5454.70

July 2013: \$5827.75

August 2013: \$5847.75

September 2013: \$5747.50

**Operational Drug Courts in Minnesota**

**Adult**

- Cottonwood County (2012)
- Crow Wing County (2006)
- Dakota County (2008)
- Hennepin County (1996)
- Ramsey County (2002)
- St. Louis County - South (2002)
- Stearns County (2002)
- Winona County (2012)

**Multi-County Adult**

Brown-Nicollet-Watonwan Countie (2007)

- Clay-Becker Counties (2008)
- Cornerstone Drug Court: Rock-Nobles Counties (2012)
- Southwest Community Drug Court: Lincoln-Lyon-Redwood Counties (2009)

**Juvenile**

- Brown County (2007)
- Dakota County (2005)

**Family Dependency**

- Blue Earth County (2008)
- Dakota County (2006)
- Stearns County (2006)

**DWI**

- Beltrami County (2007)
- Cass County (2006)
- Crow Wing County (2008)

- Hennepin County (2007)
- Mahnomen County-White Earth Nation (2013)
- Otter Tail County (2008)
- Pennington-Marshall Counties (2012)
- Ramsey County (2005)
- Roseau-Kittson Counties (2008)
- St. Louis County - South (2008)

**Drug/DWI Hybrid**

- Aitkin County (2006)
- Blue Earth County (2005)
- Itasca County (2007)
- St. Louis County - North (2006)
- Wabasha County (2005)

**Drug/Family Dependency Hybrid**

Faribault-Martin-Jackson Counties (2007)

**Drug/DWI/Family Dependency Hybrid**

- Dodge County (2003)
- Borderland Substance Abuse Court: Koochiching County-Drug/DWI/Family & Lake of the Woods County-Drug/DWI (2005)

**Veterans' Treatment Court**

Hennepin County (2010)

**Mental Health Court**

Hennepin County (2003)

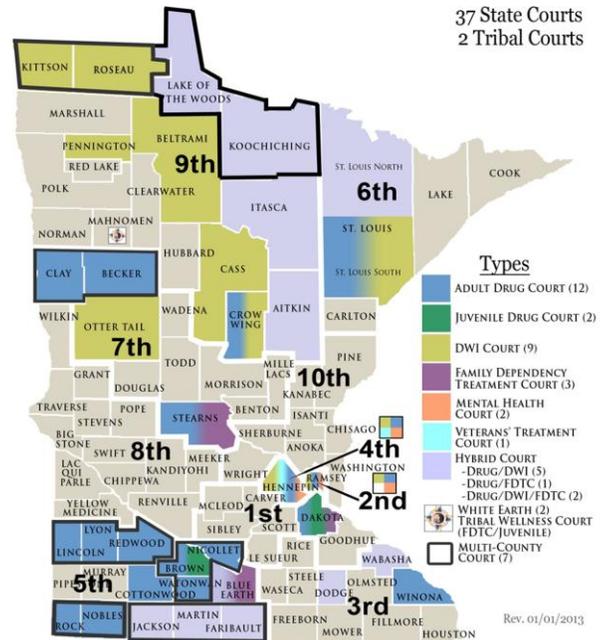
- Ramsey County (2005)
- St. Louis County-Duluth (2013)

**Tribal Wellness Court**

White Earth Nation - Family Dependency and Juvenile

**Operational Problem-Solving Courts in Minnesota (39)**

37 State Courts  
2 Tribal Courts



Rev. 01/01/2013

**Ignition Interlock Decreasing Re-Offending**

In a recently story published by Kare 11, it was Found that the Minnesota Department of Public Safety Office of Traffic Safety suggested that less than 1 percent of the 10,664 DWI offenders in Minnesota who have used or are currently using ignition interlock have reoffended since the program started statewide in July 2011.

Of the 3,283 people who have completed the program they did not reoffend while using interlock.



"Interlock devices are proving to be effective tools that are keeping the vast majority of past DWI offenders from repeating their mistakes," says Donna Berger, Office of Traffic Safety director. "In turn, this technology is cutting down on impaired driving and creating a safer driving environment for the traveling public."

Repeat DWI offenders, as well as first-time offenders arrested at 0.16 and above alcohol-concentration level must use interlock in order to regain legal driving privileges, or face at least one year without a driver's license. Offenders with three or more offenses are required to install interlock and use for three to six years, or they will never regain driving privileges. Cost of an interlock is \$3-\$4 per day.

There are 32 states, including Minnesota, that use ignition interlock for first-time DWI offenders.

## DWI Search Warrants to be Required in Stearns County

Stearns County is setting up to become one of the first counties in Minnesota to require law enforcement officers to acquire search warrants before they take blood samples from suspected drunken drivers who refuse blood testing.

This change is the result of a U.S. Supreme Court decision in a Missouri case that has placed DWI prosecution into a questionable state. The decision has led to a Stearns County judge throwing out at least one Minnesota DWI case under the possibility that the implied consent law in Minnesota violates constitutional rights.

The implied consent advisory is read to suspected drunken drivers. It says that the drivers are required to submit to chemical testing at the request of the officer or refusal will result in criminal charges.

Because of the questions regarding the constitutionality of implied consent, Stearns County prosecutors have changed the procedures for traffic stops. Police officers and deputies will not read the advisory, but they will ask the driver to voluntarily submit to a blood test. If the driver refuses, the arresting police officer will seek a search warrant to acquire the blood sample.

So far, this is a very unique procedure, as most judges throughout Minnesota are still upholding the

implied consent law, which makes it a crime for someone suspected of DWI to refuse the test.

Local judges will be handing the warrant requests via fax at their homes after business hours. This is made possible due to the local court purchasing a portable fax machine that judges who are on-call for the weekend can take home with them if they do not already have a fax machine at their homes.

In the Missouri case that brought about questions regarding the constitutionality of implied consent, the high court said a police officer must consider more than just how fast the alcohol dissipates from the bloodstream when making the decision of whether or not to get a warrant. Minnesota is one of the states where alcohol dissipation in the bloodstream has been reason enough to obtain a blood sample without a warrant.

In Stearns County alone, there are approximately 1,200 DWIs that are charged each year and the test refusal rate is approximately 12 percent. This works out to around 144 refusals each year and this number is expected to grow.

According to Sheriff John Sanner, he said that the change is a major one, as



it does place a greater strain on the officers who must obtain a search warrant in order to get the blood sample from the driver as quickly as possible. It doesn't matter if it is 2:00 in the afternoon or 2:00 a.m., the warrants must be obtained at all hours. This will also result in more judges being up in the middle of the night responding to search warrant requests.

In other areas around the state, the State Patrol has only changed its policy so it can get search warrants in specific cases, such as those involving a suspected drunken driver allegedly causing injury or death. However, the attorney general's office has advised the Minnesota State patrol that it doesn't have to abandon the existing implied consent law and advisory in a basic DWI traffic stop.

Taken from:

Meaney & Patrin, P.A.

[www.meaneypatrin.com](http://www.meaneypatrin.com)

## MEET THE BOARD: Gary Smith, Federal at Large

*What is your current job and where do you work?*

*I am a Probation Officer with U.S. Probation and Pretrial Services. My office is at the Federal Courthouse in St. Paul, and I currently write presentence investigation reports with occasional pretrial bail reports.*

*How long have you been involved in MAPSA and what is your role?*

*I started attending MAPSA and NAPSA conferences in 2002. I became the MAPSA Regional Representative for Region 6 in 2008 when I was working at Project Remand in Ramsey County. I subsequently became the Regional Representative for the new Federal At-Large Region in 2010.*

*How did you get started in the field of corrections?*

*It runs in the family. My parents started dating in prison (fortunately, they were both corrections employees) and my brother is also a Probation Officer. My first job after college was at the VOA halfway house in Minneapolis, followed by Project Remand.*

*Now that fall is upon us, what football team are you rooting for and why?*

*I root for the Vikings because I was born and raised in Minnesota, and because I'm a masochist.*

*What types of activities do you enjoy outside of work?*

*Spelunking. BASE jumping. Street lugging. Those are all examples of the exact opposite of activities I do outside of work. I enjoy watching and playing sports (primarily hockey and baseball) and I can most often be found relaxing with family and friends.*

*If you didn't work in corrections, what else would you be doing?*

*I would likely be a sports journalist as I could still be a writer yet have fewer interactions with violent offenders and drug traffickers. I like to travel, as well as watching and discussing sports. Until then, I'll just keep waiting for a Twins player to commit a federal crime*

