

PRETRIAL SERVICES CONTACT INFORMATION:

- Probation; 507-233-6620
- CADA; 507-233-6663
- Court Administration; 507-233-6670
- Crime Victim Advocate; 507-233-6665
- Leah Luke, Brown Co. Chemical Health Assessor, LADC; 507-359-6565
- New Ulm Medical Center Substance Abuse; 507-217-5199
- New Ulm Medical Center Mental Health; 507-217-5168
- Eunioa Counseling Services; 507-359-2080
- Sioux Trails Mental Health Center; 507-354-3181
- Prairie Family Counseling; 507-766-7685
- Brown County Veteran Service Officer; 507-233-6637
- Veterans Court Coordinator, Kevin Mettler; 507-469-5518
- Treatment Court Coordinator, Megan Kjolsing; 507-934-7190
- 5th Judicial District Public Defenders Office; 507-389-5138

Fifth Judicial District Counties:

Cottonwood, Blue Earth, Brown, Faribault, Jackson, Lyon, Martin, Nicollet, Nobles, Redwood, Rock, and Watonwan.

Brown County Probation
1 South State Street
New Ulm MN 56073
507-233-6620
www.co.brown.mn.us

Brown County Probation Pretrial Program

PRETRIAL PROCESS:

The pretrial process provides important services to the Court and the community. The pretrial probation agent will conduct an investigation of pretrial defendants detained in the local jail awaiting arraignment. The pretrial agent will provide the Court with a detailed report based upon pretrial factors such as the defendant's prior criminal record, employment, education, risk of flight, history of violence, prior problematic chemical usage, prior bench warrants, current probation status, other pending charges, and collateral/victim sources.

INITIAL ARRAIGNMENT HEARING:

At the initial arraignment hearing the Court will inform the defendant of the charges against them and maximum penalties. The Court will ensure the defendant understand their due process rights to be represented by an attorney. The court will inform the defendant of the next required hearing and when it will be scheduled.

Additionally, based upon the cumulative risk score determined in the pretrial report the Court will determine if defendant will remain in jail with or without the possibility of posting bail; the Court may also release the defendant on their own recognizance with specified pretrial supervision conditions. Pretrial supervision lasts until sentencing.

POSSIBLE PRETRIAL RELEASE CONDITIONS (but not limited to):

1. Maintain contact with attorney (retained or appointed)
2. Keep all scheduled Court appearances
3. Inform the Court of changes to address, phone, or employment
4. Abstain from using alcohol and all mood altering chemicals
5. Submit to random testing (UA or Breath)
6. Follow a curfew as set by probation
7. Participate in Project Nighthawk (random home visits by probation)
8. Report to probation weekly
9. Schedule chemical/mental health evaluation
10. Have no contact directly or indirectly with victim
11. Do not leave the State without the Court's permission
12. Must surrender all firearms to law enforcement

PRIVACY RIGHTS:

The pretrial report submitted to the Court is not considered a "public" document as it contains personal protected information. The only offense information considered "public" is the charges against the defendant and their identity. Release conditions are public information.

DRAFT COPY

VICTIMS RIGHTS:

Victims have many rights relate to crimes of violence (domestic abuse, sexual assaults, assaults). Victim's identity is protected, and they are informed of the nearest victim assistance program or resource. Brown County has a Crime Victim Specialist, who will assist all victims of crimes. Victims will be notified of associated hearings, the defendant's release from jail, and the defendant's release conditions. Victims may request a "no contact" condition of the defendant's release.

CHEMICAL TESTING:

Defendants may be required to provide samples of urine, breath, or saliva to monitor for prohibited alcohol/chemical usage. Testing can be done on a call-in system or as directed by the agent on a random basis. Failure to test, failure to call-in as required, providing a positive test, diluted sample, or providing an "altered" test will result in immediate sanctions. A \$100 positive drug test fee may be assessed against the defendant.

FIELD CONTACTS:

Defendants may be required to submit to random contacts at home, work, or any place the defendant may be located in the community. This includes any time to include nights, weekends, and holidays. "Project Nighthawk" involves probation agents riding along with law enforcement. Agents may also conduct random contacts with defendants.

REAM GRANT (\$ for alcohol monitoring related to DWI offenses):

Defendants charged with a DWI offense may be required to be released on electronic home alcohol monitoring. Brown Co. Probation has a grant program to offset the costs associated with the monitoring (\$13 per day w/o the grant). Defendants must provide income verification or unemployment verification to the pretrial agent for consideration. Ask the pretrial agent for more details.

IGNITION INTERLOCK INFORMATION

If you are appearing in Court for a DWI offense, the State of Minnesota may or may not require the ignition interlock be installed in your vehicle. If your vehicle has been impounded and is subject to forfeiture you have the option of posting equal book value for the vehicle and having ignition interlock installed in the vehicle before you can get the vehicle out of impound and retain your claim over the vehicle. All associated costs of the ignition interlock device are the participant's responsibility. Probation can assist participants with understanding the requirements for the ignition interlock program. The 5th Judicial District has an ignition interlock grant program! Please ask about the program and for information about the required interlock forms and the grant program.

VETERANS COURT:

Veterans Treatment Courts use a hybrid integration of Drug Court and Mental Health Court principles to serve military veterans. They promote sobriety, recovery, and stability. To be eligible for referral to the 5th Judicial District Veterans Court the participant must have served in the U.S. Military and received a non-disciplinary discharge from the military.

Qualifications:

- Adult – 18 years of age or over
- Resident of one of the participating counties
- Charged with a misdemeanor, gross misdemeanor or felony level offense (non-presumptive commit)
- Experiencing a treatable behavioral, mental health or substance abuse problem substantially related to the offense.
- Need the consent of the prosecuting attorney for referral
- Defendant is willing to participate and abide by program rules
- Meets monthly on the 2nd and 4th Friday at Noon in Mankato, MN

ADULT TREATMENT COURT (aka: DRUG COURT):

Treatment court programs are rigorous, requiring intensive supervision including frequent drug testing, weekly appearances before the judge, long term substance use treatment, weekly support group meetings, and frequent field and office contacts with probation and law enforcement.

Referral Offenses (includes but not limited too):

- Controlled substance crimes
- Crimes committed due to chemical use(ex: burglary)
- DWI – felony and in some cases, gross misdemeanor
- Failure to complete standard probation requirements

Participant Qualifications:

- Must be formally referred to the program for consideration
- Must be diagnosed with chemical dependency
- Non-violent offenders
- Subject to approval by team
- Defendant must voluntarily agree to participate in Drug Court

PRETRIAL FEE SCHEDULE:

Defendant's placed under pretrial supervision of the Brown County Probation a Department are assessed a \$100.00 fee for administrative and drug testing purposes.