

Minnesota Department of Corrections

~~Division Directive~~ **Policy Number:** 106.090: ~~206.030~~ ~~Title: Officer of the Day (OD)~~
~~Community Services~~ **Hearings and Release**
Title: Officer of the Day – Hearings and Release **Issue Date:** 5/3/16
Effective Date: 2/26/25 5/17/16

AUTHORITY: ~~—~~ Minn. Stat. §244.051

PURPOSE: ~~To provide a system providing access to warrants and case consultation~~ A procedure providing access to the issuance of warrants for agents and residential facilities housing offenders/~~releasees,~~ excluding interstate supervision cases, and, ~~R~~responses to alert information from the Department’s contracted provider for electronic surveillance.

APPLICABILITY: Hearings and Release Unit (HRU) and all agents supervising adult individuals on release. ~~Minnesota Department of Corrections (DOC); Community services division~~

DIRECTIVE: ~~—~~ The officer of the day (OD) system is available 24 hours per day, seven days per week and provides access to emergency warrant requests, request detainers/warrants, and case consultation to agents supervising adults ~~offenders releasees who have been released from department~~ Department of Corrections facilities. ~~The OD approves detainers/warrants for offenders on supervised release, the Challenge Incarceration Program (Phases II and III), the Conditional Release Program, state work release, and parole. Agents unable to reach his/her immediate supervisor may, on an emergency basis, contact the OD for consultation regarding the supervision of offenders. The OD must only be utilized during unscheduled working hours, except in emergency circumstances when the hearings and release unit (HRU) or the immediate supervisor is unavailable.~~

DEFINITIONS:

Agent – an agent or designee of the DOC, of a Community Corrections Act (CCA) organization, or of a county, assigned to supervise persons on supervised release, conditional release, or parole. ~~an employee in the job classification of state corrections agent, county probation officer, and Community Corrections Act (CCA) corrections agent.~~

Agent designee – CCA county officer of the day (OD), county on-call/designee, or an agent’s supervisor.

Emergency situation – a circumstance when there are reasonable grounds for believing, based on specific and objective facts, that a releasee’s immediate apprehension is necessary to prevent imminent harm to the releasee or another person, or to prevent the releasee’s flight from the area of supervision.

PROCEDURES:

- A. Officer of the day (OD) ~~D~~ term of duty
1. The hearing and release unit (~~community services district supervisors, the supervisors of the intensive supervision unit, and the supervisor of work release~~ HRU) designates hearing officers to serve as the OD on a rotating basis. The executive officer of HRU establishes the schedule and is responsible for its distribution and coverage. The length of each term

~~of duty is one week (seven days): from 8:00 A.M. 12:00 noon on Wednesday morning Friday until 8:00 A.M. 12:00 noon on the following Wednesday morning Friday. The director of field services establishes the schedule and is responsible for its distribution.~~

2. ~~While assigned to a term as OD, hearing officers the supervisor~~ An OD must not put ~~himself/herselfthemselves~~ in a location or situation that would make it impossible or irresponsible to perform the OD duties ~~listed~~ immediately upon request.
3. Upon completion of a term of duty, the outgoing OD must ~~call the incoming OD using the OD phone number to ensure the availability of the incoming OD, to ensure the OD phone transfer was successful,~~ transfer the telephone number to the person who is next assigned OD, and to relay the next warrant number, and verify immediate coverage.

B. Requesting warrants from the OD

1. ~~Telephone numbers are A single OD telephone number is~~ accessible statewide ~~(1-800-657-3868)for~~ both daytime (1-651-361-7107) and after hours (1-800-657-3868) warrant requests. Each OD has a work cell phone with voice messaging and ~~must is required to have it activated it~~ during ~~his/hertheir~~ assigned term of duty, ~~including normal business hours to respond to possible loner global positioning system (GPS) alarms. All calls will be attended to at the time of the call or immediately as soon as possible from om when the call is received. and Ssubsequent calls will be responded to once the upon completion of the current call the OD is responding to complete.~~ Agents should leave a message on the OD's voicemail if the phone call is ~~unanswerdnot answered.~~ After a reasonable amount of time has passed and there is no response from the OD, the agent may call the eExecutive oOfficer or the cCorrections pProgram dDirector for assistance.
2. Monitoring companies, residential facilities, halfway houses, and other facilities housing ~~offenders releasees~~ whose electronic monitoring and/or residencies are a condition of release, ~~must also be able to request emergency warrants from the OD. However, these facilities must attempt to reach the assigned agent prior to calling the OD.~~ When receiving a request from a residential facility, the OD must ~~ascertainestablish~~ whether the calling agency has contacted or attempted to contact the assigned agent. If such contact or effort to ~~establishgain~~ contact has not occurred, the OD directs the agency to attempt to do so before assessing whether an emergency warrant is necessary. If an agent is not available, a residential facility staff member must directly contact the OD and follow the OD's procedures.
3. ~~The OD is not able to issue warrants at the request of law enforcement.~~
4. When an agent/~~agent's designee~~ receives information regarding an ~~offender's releasee's~~ alleged violation of release and determines ~~that an emergency warrant/detainer should be requested, the agent/agent's designee must contacts~~ the OD. If an agent is not available, a residential facility staff member must directly contact the OD and follow the OD's procedures.

54. When determining if an emergency warrant is justified, the OD must obtain sufficientenough information from the requester to make an enable-an informed decision, that an emergency warrant is justified. Justification for an emergency warrant may include a releasee's risk of imminent harm, flight from an area of supervision, and/or other high-risk behaviors. In circumstances where the offender releasee has demonstrated assaultive, threatening, high-risky, or felonious behavior, the OD immediately issues a warrant. Warrants are also immediately issued when an offender individual on intensive supervised release (ISR) status absconds, or tests positive for drugs or alcohol from supervision. For offenders releasees who are not in a mandated placement, the OD acquires information regarding the conviction offensecurrent obligation, the nature of the alleged violation, the offender's releasee's adjustment behavior, prior criminal history, and prioroverall adjustment while on release status. The OD's primary consideration is the offender's releasee's potential risk to public safety and particularly the victim of the conviction offense.
65. The agent or residential facility staff member must be prepared to provide appropriate case information to the OD when requesting a warrant/detainer. Examples Such information to consider includes but are notis not limited to information regarding public safety concerns, the releasee's criminal and supervision history, and any cautions to law enforcement regarding apprehension. The OD must fully complete the Request for Warrant Information Worksheet (attached). The OD must verify who the agent of record is, making sure the name and phone number of the person requesting the detainer/warrant is documented.
76. The after-hours OD submits a warrant authorization form to the Minnesota cCorrectional fFacility at Oak Park Heights (MCF-OPH) and requests that the warrant to be issued. MCF-OPH provides confirmation of receipt with the ODnotifies the OD when they receive the warrant authorization form and enters the warrant into the system immediately.
7. The OD calls Minnesota Correctional Facility—Oak Park Heights (MCF-OPH) and requests the warrant/detainer to be issued. The OD must provide his/her name and state employee identification number for identification purposes. MCF-OPH provides or confirms the warrant/detainer number with the OD.
87. If an offender-releasee is in the custody of a law enforcement agency, at the time of issuance, the OD issues athe warrant, as a detainer and requests that and MCF-OPH staff follow the normal procedure for issuing warrants, including entering all the warrant information into the NCIC and/or NMCJIS database and. teletype the warrant as a detainer to the jail where the offender is being held. The warrant is not entered in the National Crime and Information Center (NCIC). The OD requests that MCF-OPH electronically submit a hold notice to the holding facility. sendings an administrative message directly to the holding facility.
9. In the event the Minnesota Correctional Facility—Shakopee (MCF-SHK) receives a loner GPS alert, the OD must obtain all necessary information, such as agent/caseworker name,

location, county of notification, and type of alert. The OD must then notify the ISR supervisor, regional manager, director of field services, safety director, and the office of special investigations (OSI). If the incident involves a Minnesota Correctional Facility—Red Wing (MCF RW) transitional caseworker, the OD must contact the watch commander at MCF RW, and the watch commander must contact the MCF RW OD. The OD must attempt to determine the wellbeing of the agent/caseworker and the circumstances surrounding the alert. The OD must prepare a written incident report and submit it according to Policy 300.300, “Incident Reports.”

- ~~1098.~~ If an OD issues a warrant/detainer and the offender/parolee is admitted is transported to a hospital, with and the law enforcement agency relinquishes custody prior before to the releasee’s the offender releasee is medically discharged, then after hours OD will will determine if whether an the Office of sSpecial iInvestigations (OSI) (OSI) fFugitive Apprehension uUnit Member (OSI—FAUM) security staff should be deployed to maintain custody of arrest the individual while they are receiving medical care at the are being cared for at the hospital. ~~Once~~ After a a determination is made, the OD will immediately contact the on-call OSI- fugitive unit supervisor FAUM must immediately notify the MCF-OPH w and the wWatch ecCommander at the designated Minnesota cCorrectional fFacility to make arrangements for appropriate DOC facility staff to take and to maintain custody and care of the offender while at the hospital. facilitate custody arrangements.
- ~~1109.~~ The on-call OSI fugitive unit supervisor-FAUM fugitive task force must be notified any time a warrant is issued on a level three sex-predatory offender or a n-certain offender releasee individual on release whose crime involved the loss of life. ~~The OD provides the caller’s name and telephone number where he/she can be reached so the fugitive task force can contact him/her directly, if needed. directs the agent to contact the designated on-call staff for the fugitive task force immediately. —The OD must send an email to contact inform the HRU eeExecutive eoOfficer and HRU cCorrections pProgram dDirector by phone and send a follow-up e-mail if a warrant is issued on any individual subject etot a life-sentenced offender.~~
- ~~12.11.~~ All apprehension warrants issued under this directive must be entered in the NCIC and teletyped to the jurisdictions indicated by the requesting agent.
- ~~13.1210.~~ _____ The OD enters the warrant information into the OD warrant log on the field services supervisor creates an entry in the HRU i-Share site and documents specific details regarding each warrant request. ~~The warrant authorization form is completed, saved, and sent via e-mail to MCF-OPH. within 24 hours and maintains copies of the Request for Warrant Information Worksheets for six months for possible future reference.~~
11. Federal Bureau of Investigation (FBI) Standards relating to warrant procedures are contained in— DOC Policy 106.150 – Adult Warrants.

INTERNAL CONTROLS:

- A. ~~Warrant-OD call~~ information is electronically stored in ~~the OD warrant log on the field services~~the HRU supervisor's iShare site.
- B. ~~Warrant information worksheets are retained by the ODs in their respective district offices for a period of six months.~~authorization forms are saved electronically.

REVIEW: ~~Annually~~

REFERENCES: Policy 201.0245, "Personal GPS Devices"
Policy 300.300, "Incident Reports"
Minn. Stat. §244.051; Minn. R. 2940

REPLACE/SUPERSESS: ~~Policy 206.030 "Officer of the Day (OD) – Community Services,"~~
~~5/17/16 Division Directive 206.030, "Officer of the Day (OD) – Community~~
~~Services," 6/3/14.~~

All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: ~~None~~Request for Warrant Information Worksheet (206.030A)

APPROVED BY: ~~/s/~~

~~Commissioner of Corrections~~Deputy Commissioner, Community Services Reintegration and Restorative Services