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**Policy Number:** 204.064  
**Title:** Earned Incentive Release  
**Effective Date:** 09/01/25

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**PURPOSE:** To establish the criteria and procedures for earning incentive release credits under the Minnesota rehabilitation and reinvestment Act (MRRA). This is a pilot policy that will be implemented on a rolling basis across Minnesota Correctional Facilities.

**APPLICABILITY:** Staff and incarcerated people participating in the MRRA pilot as determined by the Commissioner.

**DEFINITIONS:**

**Assessment Summary Report (ASR)** – a report that summarizes the results from the risk-needs-responsivity assessments completed by an incarcerated person during their confinement period.

**Earned Incentive Release Credit (EIRC)** – credit that is earned and included in calculating an incarcerated person’s term of imprisonment for completing objectives established in their individualized rehabilitation plan.

**Evidence-based practices (EBP)** – strategies and techniques that have been proven to reduce recidivism, including such examples as motivational interviewing, case planning, carey guide tools, targeting interventions to higher-risk incarcerated persons and their areas of need, and engaging community support.

**Individualized Rehabilitation Plan (IRP)** – a case plan developed by the incarcerated person in collaboration with their assigned caseworker and other relevant DOC staff targeting their criminogenic needs and identified responsivity factors.

**Minnesota Screening Tool Assessing Recidivism Risk (MnSTARR)** – a risk assessment instrument that predicts an incarcerated person’s likelihood of reconviction for multiple crime types following release from prison.

**Multi-Disciplinary Team (MDT)** – a meeting between the incarcerated person and multiple DOC staff, including the incarcerated person’s case manager, in which the results from the ASR are reviewed and the IRP is developed or updated.

**Recidivism-reduction program** – a program based on principles of effective correctional intervention (risk, needs, responsivity) or that has been demonstrated through research by the DOC to significantly reduce recidivism.

**Risk designations** – Low risk includes incarcerated persons whose MnSTARR scores fall in the bottom fiftieth (50<sup>th</sup>) percentile. Medium risk includes incarcerated persons whose MnSTARR scores fall in the fifty-first (51<sup>st</sup>) to eighty-fifth (85<sup>th</sup>) percentile. High risk includes incarcerated persons whose MnSTARR scores fall in the top fifteenth (15<sup>th</sup>) percentile.

**Self-Reported Assessment** – an assessment that measures an incarcerated person’s criminogenic needs and specific responsivity factors.

**Structured activities** – a broad range of programs, work assignments, classes, services, and targeted interventions.

**Success planner** – a document an incarcerated person maintains throughout their incarceration to summarize relevant events and submit as part of the EIRC review process.

**Notable act**- At the discretion of the commissioner of corrections, an incarcerated person who intervenes in a situation that reduces significant harm, death, or destruction may be awarded EIRC for a notable act.

## **PROCEDURES:**

- A. Eligibility for earned incentive release credits (EIRC)
1. The following incarcerated persons are not eligible to earn incentive release credits:
    - a) Those with less than 365 days to serve in prison upon admission to the intake correctional facility;
    - b) Those serving life sentences;
    - c) Those serving indeterminate sentences for crimes committed on or before April 30, 1980;
    - d) Those subject to good time under Minn. Stat. § 244.04 or similar laws.
    - e) Those assessed as very high risk at the time of their preliminary EIRC review (see proc. C.1 below);
    - f) Those who will be placed on intensive supervised release (ISR); and
    - g) Those who have an active warrant or detainer at the time of their preliminary EIRC review.
  2. To earn EIRCs, eligible incarcerated persons must:
    - a) Fully complete the comprehensive assessment process, which may include a self-reported assessment (SRA) and screenings related to mental health, substance use disorder, sex offense treatment, and education. When available, relevant collateral information, such as presentence investigation reports, probation violations, and restructure and revocation reports, will be reviewed and considered during the assessment process.
    - b) Participate in the required multi-disciplinary team (MDT) process.
    - c) Assist in the creation of an individualized rehabilitation plan (IRP) that identifies goals and recidivism reduction programs to be completed during confinement, based on their highest criminogenic needs areas according to the assessment summary report (ASR). Creation of the IRP will include consideration of any received victim input.
- B. Accumulating earned incentive release credits.
1. Eligible incarcerated persons may accumulate credit by addressing needs and completing programs identified in their IRP.

2. To earn credits, incarcerated persons must complete a certain number of recidivism-reduction programs based on their assigned risk during the preliminary EIRC review.
  - a) Low risk must complete at least one recidivism-reduction program.
  - b) Medium risk must complete at least two recidivism-reduction programs.
  - c) High risk must complete at least three recidivism-reduction programs.
3. Incarcerated persons who have been assessed and recommended for residential substance-use disorder (SUD) treatment or intensive prison-based sex offense specific treatment must successfully complete those programs to accumulate any EIRCs.
4. Incarcerated persons who meet the basic requirements for EIRCs will earn the following amounts of credit for completing specific recidivism-reduction programs:
  - a) Earning a secondary education degree: 90 days.
  - b) Earning a post-secondary education degree/certificate; 90 days.
  - c) Substance-use disorder (SUD) treatment: 90 days.
  - d) Sex offense specific treatment: 90 days.
  - e) Cognitive-behavioral intervention: 60 or 90 days based on length.
  - f) Prison Fellowship Academy: 90 days.
  - g) EMPLOY: 90 days.
5. The EBP unit director will review additional recidivism-reduction programs via the effective interventions committee to determine if they meet cognitive-behavioral intervention standards and may add them to the list with EIRC days assigned (either 60 or 90).
6. Incarcerated persons who meet the basic requirements for EIRCs will earn the following amounts of credit for completing structured activities based on their assessed risk levels:
  - a) Low risk may earn 30 days of EIRC for every 90 days of participation in structured activities.
  - b) Medium risk may earn 30 days of EIRC for every 180 days of participation in structured activities.
  - c) High risk may earn 30 days of EIRC for every 360 days of participation in structured activities.
  - d) Partial credit may be granted at the appropriate rate given the risk level. For example, low risk individuals can earn 1 EIRC day for every 3 days of participation in structured activities.
7. An incarcerated person may receive up to 180 days of EIRC for notable act(s). This request must be initiated by a staff member.
8. Circumstances in which EIRC cannot be accumulated:
  - a) An incarcerated person cannot accumulate credit while residing in any

form of restrictive housing due to discipline. An incarcerated person can return to accumulating EIRC once the disciplinary segregation has ended.

b) The incarcerated person transfers to another state through the interstate corrections compact.

9. Incarcerated persons housed out of facility (HOF) in a county jail or federal prison may earn incentive release credits for participating in eligible services or interventions if the facility in question provides the DOC with official records verifying participation.

C. Review process for awarding EIRCs

Preliminary EIRC Review:

1. 180 days prior to the eligible incarcerated person's earliest possible release, as calculated by the sentence administration unit (SAU), a preliminary review will be conducted to ensure the following:
  - a) Completion of the recidivism-reduction program requirement and, if applicable, the treatment requirement (see Procs. B.1 and B.2).
  - b) Submission of a fully completed success planner, including indicators of growth and change.
  - c) Audit of discipline history with severity and frequency of misconduct considered.
  - d) Victim input.
  - e) Prosecutor notification.
  - f) Staff observation.
2. The case manager will complete the EIRC review form to include calculation of credits, create an MRRA review packet that includes any information and input received, and forward the packet to the delegated release authority at DOC central office.
3. The delegated release authority will determine if the criteria for EIRC have been met and, if so, will establish a projected release date and notify the case manager and incarcerated person to begin release planning in accordance with the DOC's release planning policy.
4. If the delegated release authority determines that the criteria have not been met, they will complete the review decision form and provide it to the case manager and incarcerated person. The review decision form must state the reason(s) for denial and that the preliminary EIRC review will be continued until the criteria have been met.
5. Incarcerated persons who disagree with the release authority's decision may appeal in writing directly to the commissioner of corrections. The commissioner will, when possible, review the appeal within five working days and issue a final decision.

6. Credit accumulation after preliminary review:
    - a) Recidivism-reduction programming in process at the time of the preliminary review or that the individual is scheduled to complete may be included in the EIRC calculation. Failure to complete that programming may result in ineligibility for EIR or an amended projected release date.
    - b) Structured activity credit cannot be accumulated after the preliminary review.
    - c) Credit connected to notable acts occurring after preliminary review will be at the discretion of the Commissioner or delegated authority
  7. The preliminary review determines if an incarcerated person is eligible to prepare a release plan and participate in a transitional MDT. If so, the releasing authority will establish a projected earned incentive release date.
  8. Final EIRC Review  
Thirty days prior to the earliest possible release, as calculated by the sentence administration unit (SAU), a final review will take place to ensure the following:
    - a) The incarcerated person has an approved release plan.
    - b) The incarcerated person has completed a transitional MDT with their case manager and assigned supervision agent.
    - c) A final interim discipline audit is conducted.
    - d) A final review of program completion requirements.
    - e) If applicable, victim input and considerations are reflected in the conditions of release.
    - f) The need for any MRRA-related special conditions of release.
    - g) Final documentation submitted to the releasing authority/designee for review.
  9. Accumulated and calculated EIRCs will be awarded on the date of the incarcerated person's release.
  10. Circumstances in which EIRCs will not be awarded:
    - a) If assaultive behavior resulting in discipline occurs between the preliminary review and the projected release date.
    - b) An incarcerated persons has not completed the required number of recidivism reduction programs or recommendations for SUD or sex offense treatment.
- D. Equity
1. The designated releasing authority will assess for and address any systemic and programmatic gender and racial disparities identified when awarding earned incentive release credits.
  2. Plans will be developed to reduce identified disparities.
- E. Records.

1. All documentation must be entered into the DOC document management system (ODocS).

**INTERNAL CONTROLS:**

- A. All documentation will be retained in ODocS.

**REFERENCES:** Minn. Stat. §§ [244.43 through 244.45](#)

**REPLACES:**

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

**ATTACHMENTS:**

None

**APPROVAL:**

Commissioner of Corrections

DRAFT - Effective Sept. 1, 2025