
Policy Number: 203.220
Title: Delegations
Effective Date: 11/5/19

PURPOSE: To permit offenders to leave facility grounds or jail under staff escort, provided that the proper authorization has been obtained.

APPLICABILITY: All adult facilities.

DEFINITIONS:

Deathbed visit – a private, supervised visit for offenders, which takes place at a health care facility when a health care provider has determined that death is imminent for the offender’s immediate family member.

Delegation – used to record the temporary custody or location of an offender when removed from the offender’s designated facility, with the understanding that the offender is expected to return to the facility (e.g., funeral or deathbed visit, medical appointment, writ, etc.).

Funeral visit – a private, supervised visit for offenders, which takes place at a public facility or grounds to provide the offender an opportunity to pay respects to the deceased immediate family member (e.g., wakes, visitations, etc.).

Immediate family member – an offender's legal spouse, child (birth, step and adopted), parent, or sibling (birth, step, adopted and half). For the purposes of this directive, if the facility can confirm and document that a special relationship existed between the offender and an extended family member, the facility may allow a delegation. (E.g., a grandparent who may have been a surrogate parent to the offender or a grandchild for whom the offender may have been a surrogate parent may qualify as allowed exceptions.)

Levels 2 through 5 – facility custody levels as defined in custody classifications.

Staff – department employees; employees of firms under contract with the department; custody-trained representatives of community agencies; any professional or paraprofessional having access to offenders for approved study, specialized services, representation, research, or data collection; and canines.

PROCEDURES:

Offenders may be permitted to leave facility grounds under staff/volunteer escort according to the following guidelines.

- A. Delegations may be scheduled to:
1. Transport offenders to other correctional facilities/programs (e.g., hearings);
 2. Transport offenders to court or other mandatory proceedings;
 3. Allow offenders to attend medical, dental or mental health appointments outside the facility;
 4. Allow offenders to develop job or program potential and prepare for reentry into the community (for minimum security units only, or with warden/designee approval);

5. Allow offenders to participate in restorative justice/community partnership activities (for minimum security units, or with warden/designee approval):
 6. Transport offenders to meet mandated release conditions;
 7. Allow for the immediate transfer or evacuation of offenders for medical care beyond the resources available in the facility, as determined by the responsible health care provider, to a facility where such care is available (this includes 24-hour emergency medical, dental, and behavioral health services); and
 8. Allow offenders to attend one of the following:
 - a) Deathbed visits when approved. Deathbed visits may be approved for offenders residing within a minimum custody program or medium custody facility unless an exception is approved by the facility warden (for the purposes of this policy, MCF-Shakopee is considered a medium custody facility). Deathbed visits are allowed:
 - (1) Only at a health care facility;
 - (2) Only in private to an immediate family member and
 - (3) Only when death is determined to be imminent by a health care provider.
 - b) Funeral visits. Funeral visits may be approved only for offenders housed in a minimum custody program (unless an exception is approved by the facility warden). Funeral visits are allowed:
 - (1) Only at a public facility prior to or after any public service;
 - (2) Only upon an immediate family member's death; and
 - (3) Only if the offender did not have a deathbed visit.
- B. A delegation may be denied if the facility captain or warden/designee determines that the trip would threaten public safety, create substantial potential for escape or risk to the personal safety of the escorting officers or other persons, or any other security breach.
- C. Delegations for health appointments, death bed/wake/funeral/cremation visits, developing job or program potential, and participating in restorative justice/community partnership activities must be restricted to travel within Minnesota.
- D. For DOC offenders housed in a county jail, staff from the facility nearest the jail may conduct the transport for death bed/wake/funeral/cremation visits.
- E. Offenders not allowed deathbed or funeral visits must be offered the opportunity to communicate with family members through telephone calls, JPay video visits, JPay videograms, recorded funeral services, or other electronic communications available, as approved by the appointing authority.
1. For JPay video visits and JPay videograms, see Policy 302.022, "Offender/Resident Kiosk Services."
 2. For recorded funeral services, see Policy, 302.300, "Religious Programming."
- F. The offender's caseworker, health services staff, records staff or watch commander, as appropriate, must originate and complete a department Delegation Authorization form (attached) and attach any additional necessary documentation.

- G. The captain or designee must review and approve or deny the Delegation Authorization form and additional documentation.
1. In the event of a writ/order for transport, the captain or designee must ensure that records staff have verified and signed the Delegation Authorization form indicating a certified copy of the court order is present in Minnesota Government Access (MGA)
 2. An original document, with a raised seal, may also be accepted, but is not required if records staff have verified and signed the Delegation Authorization form.
- H. If approved, the originator of the Delegation Authorization form must ensure that the transportation arrangements are completed.
- I. Transportation security
1. Transporting staff must have the Delegation Authorization form, three copies of the offender's picture identification (printed or digital), and any additional documentation to be taken on the delegation.
 2. Level 2 offenders are not required to be transported in restraints, but restraints must be available for use at the discretion of the transport staff. If a higher level of custody offender is being transported along with a Level 2 offender, full restraints must be required for all offenders.
 3. All offenders housed in Level 3, 4 and 5 facilities (including unclassified offenders such as new intakes or those on interim orders of commit) must wear an orange jumpsuit with "DOC" on the back and must be transported for delegations in handcuffs, waist chains with padlocks, security boxes, and leg irons; and in caged vehicles.
 4. For offenders housed in Level 4 and 5 facilities, armed supervision may be necessary to protect the public and/or staff and prevent or deter offender escape. Facilities must not provide armed escort during off-grounds trips.
 - a) If an armed escort is deemed necessary, local law enforcement must be used to provide armed escort along with department transportation staff.
 - b) If law enforcement escort is not possible, an unarmed chase vehicle may be used.
 - c) Local law enforcement at the delegation destination must also be requested to provide security during an arrival.
 5. Transportation of pregnant offenders is outlined in Policies 301.081, "Use of Force and Restraints – Adult;" 301.095, "Central Transportation – Offenders;" and 301.096, "Medical Transportation."
 6. Only facility-approved vehicles (including vehicles for medical transport) may be used to transport offenders.
 7. Transportation staff must search each offender and the vehicle before leaving and upon return to the facility. Facility search procedures must be followed when conducting searches.
 8. Only staff-authorized communication or contact is allowed between the offender and the public.

9. Staff must inspect and approve all equipment/medical supplies/property and security arrangements for the offender throughout the delegation.
 10. Any necessary rest stops must be conducted in an inconspicuous manner. Staff must position themselves between the offender and the obvious exits and must keep the offender in view at all times. This includes the use of the restroom.
 11. Staff are authorized to abort any delegation that they suspect, or have reason to believe, could result in the loss of control of the offender or an escape attempt. This includes poor weather conditions. Staff must contact the facility watch commander as soon as possible in these situations.
 12. When staff must bring an offender to another mode of transportation, staff must remain at that location until the offender departs.
- J. The escorting staff must ensure that the Delegation Authorization form is completed and signed by the staff accepting custody when transferring an offender to another authority (county jail, police officer, correctional facility, agent, etc.)
- K. Emergency procedures
1. Escapes, attempted escapes, or disorderly conduct may occur during delegations. Staff must take the following actions during these circumstances.
 - a) If an offender attempts to escape, staff must comply with the procedures outlined in Policy 301.081, "Use of Force and Restraints – Adult," and call law enforcement for assistance.
 - b) Staff must immediately notify the facility via radio or cellular phone of any attempt to escape.
 - c) If an escape occurs, staff must immediately notify the following by radio or cellular phone:
 - (1) 911;
 - (2) Statewide emergency radio band; and
 - (3) The facility watch commander.
 2. In the event of a vehicle breakdown, accident, weather emergency or medical emergency, staff must:
 - a) Notify the facility watch commander;
 - b) Notify statewide emergency radio band and law enforcement, when appropriate;
 - c) Administer first aid or seek medical attention at the nearest hospital when indicated; and
 - d) Complete a Minnesota Motor Vehicle Crash Report (attached), if appropriate.
- L. The Intake Offender Log must be updated for both departing and arriving offenders. In addition, COMS entries must be made for both departing and arriving offenders.

INTERNAL CONTROLS:

- A. All delegation forms are reviewed and approved by the captain/designee before the offender leaves the facility.

- B. The Intake Offender Log is maintained for both departing and arriving offenders.
- C. COMS entries are made for both departing and arriving offenders.

ACA STANDARDS: 4-4351, 4-4348, 4-4445, and 4-4500-1.

REFERENCES: Minn. Stat. §§ [241.01, subd. 3a\(b\); 241.07; and 244.07.](#)
[Policy 301.081, “Use of Force and Restraints – Adult.”](#)
[Policy 301.095, “Central Transportation – Offenders”](#)
[Policy 301.096, “Medical Transportation”](#)
[Policy 203.120, “Writs and Orders of Transportation.”](#)
[Policy 302.022, “Offender/Resident Kiosk Services.”](#)
[Policy, 302.300, “Religious Programming.”](#)
[Policy 300.050, “Facility Count Reporting.”](#)
[Policy 302.210, “Offender Telephone Use.”](#)
[Policy 500.010, “Health Services.”](#)
[Policy 500.012, “Offender Emergency Health Care.”](#)
[Policy 500.180, “Medical Transfer Process.”](#)

REPLACES: Policy 203.220, “Delegations,” 9/19/17.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: [Delegation Authorization form \(203.220A\)](#)
[Minnesota Motor Vehicle Crash Report \(external Department of Public Safety form\)](#)

APPROVED BY:
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