DEPARTMENT OF CORRECTIONS

Policy Number:	**106.112**
Title:	**Approval and Modification of Release Plans**
Effective Date:	**1/21/26**

PURPOSE: The hearings and release unit (HRU) reviews and approves all release plans for individuals on parole, supervised release, or other release programs. The HRU assigns standard and special conditions of release that adhere to policy, legal requirements, and effectively protect the public.

APPLICABILITY: HRU, all adult facilities, and agents supervising adult individuals.

DEFINITIONS:

Intimate Partner – an individual who is on release or an incarcerated individual's current or former spouse, dating partner, emotional/sexual partner or person with whom they have a child in common.

Release plans – plans that set conditions an individual must comply with while under supervision in the community.

Sexually explicit material (for the purposes of Attachment D, "Special Conditions of Release") Items that show or describe actual or stimulated:

1. Sexual intercourse (including genital-genital, oral-genital, anal-genital, or oral-anal contact or penetration) between individuals or between humans and animals;
2. Penetration of the vagina or rectum by any object;
3. Masturbation;
4. Cruel or masochistic abuse; or
5. Display of genitals, female breasts, or the pubic area of any individual for the purpose of sexual arousal or gratification.

Special conditions of release – conditions that apply to certain individuals and are not included in all release plans.

Standard conditions of release – conditions of release included in all release plans.

PROCEDURES:

A. Initial review, approval and compliance

1. An individual must have an HRU approved release plan prior to release. HRU approves release plans, which include an address, agent and their contact information, standard and special conditions of release, and any special instructions or notices.
    a) The caseworker prepares a proposed release plan using only the established language for special conditions provided in the special

conditions of release form (attached). The caseworker submits the plan to the proposed supervision agent for investigation in accordance with policy 203.010, "Case Management Process," and policy 203.018, "Agent Assignment and Release Planning."

b) The caseworker submits the agent-approved plan to the hearings and release unit (HRU) electronically as soon as possible prior to the individual's release date for review. The caseworker includes relevant information in each plan, including, but not limited to, the type of supervision proposed, information to justify special conditions and what ties the individual has to the proposed county of release, relationship and visiting information, end of confinement review committee (ECRC) and predatory offender registration (POR) information, program participation, specialized release planning information, discipline history and security threat group involvement, detainers, identification documents secured at the time of release, and status of insurance (MNSURE/CAF) applications as applicable.

c) HRU staff review proposed release plans submitted electronically by caseworkers as soon as possible prior to the individual's release date and either approve, modify, or defer each plan.

d) The caseworker makes changes requested by HRU to a deferred plan and resubmits the revised plan electronically to HRU for further review and approval.

e) Designated facility staff generate and print a conditions of release form (attached) containing information from the HRU approved release plan in COMS. The designated facility staff review the release plan with the individual, reads out each condition of release, and then provides the individual with a paper copy of the plan. An electronic copy of the plan is uploaded to the individual's electronic base file.

2. Individuals must comply with standard and special conditions of their release even if they don't sign the conditions of release document.

B. Restructure Reviews (Non-violation restructures)

1. HRU staff may modify an individual's conditions of release (restructure), even in the absence of a request from the individual or their agent.

2. An individual may request modification of their conditions of release by submitting a written request to their supervising agent.
   a) The agent provides a written recommendation and submits it, along with the individual's written request and supporting justification for modification, to the Executive Officer of Hearings and Release.

b) The executive officer of hearings and release or their designee approves or denies the request.
   (1) If approved:
      (a) The agent completes a restructure report (attached) and sends the completed restructure report to the HRU for signature and approval.
      (b) After approval of the restructure report, HRU staff distribute the report to the agent and upload a copy to the individual's electronic file.
   (2) If the modification is denied by HRU, the agent continues supervision and provides the individual with HRU's justification for the denied request.
   (3) Individuals may appeal HRU's modification denials in writing to the Assistant Commissioner of Community Services & Reentry within 30 days of the decision.

3. Agents may request modification of an individual's conditions of release by contacting HRU and providing justification for the modification to a hearing officer.
   a) If approved:
      (1) The agent completes a restructure report (attached) and sends the completed restructure report to the HRU for signature and approval.
      (2) After approval of the restructure report, HRU staff distribute the report to the agent and upload a copy to the individual's electronic file.

   b) If denied, the agent continues supervision and notifies the individual of HRU's decision.

   c) Agents may appeal modification denials in writing to the executive officer of hearings and release within 30 days of the decision.

INTERNAL CONTROLS:

A. HRU review decisions are maintained in COMS.

B. Signed copies of release plans and restructure reports are retained in the individual's electronic file.

REFERENCES: Minn. Stat. §§ 243.05; 244.05, subds. 5 and 6; 244.13; Minn. R. 2940

REPLACES: Policy 106.112, "Approval and Modification of Release Plans," 7/13/18
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: HRU Instructions for Developing Release Plans (106.112A)

Special Instructions for Release Plans (106.112B)
Standard Conditions of Release (106.112C)
Special Conditions of Release (106.112D)
Conditions of Release Form (106.112F)
Restructure Report (106.113A)

APPROVALS:
Commissioner of Corrections