DEPARTMENT OF CORRECTIONS

Policy Number:	**106.1121**
Title:	**Continued Facility Reviews for Release Violators**
Effective Date:	**1/21/26**

PURPOSE: To administer a consistent set of procedures related to the extension of a projected confinement release date (CRD) for a release violator (RV).

APPLICABILITY: Minnesota Department of Corrections (DOC); all adult facilities, community services division, and the hearings and release unit (HRU)

DEFINITIONS:

Agent – an employee or a designee of the DOC, of a Community Corrections Act (CCA) organization, or of a county, assigned to supervise individuals on supervised release, conditional release, or parole

Appearance continued review – an administrative review hearing scheduled for an individual who was returned to a facility after violating a condition of release to review their progress on completing the program(s)/directive(s) or developing a release plan.

Non-appearance continued review form – an administrative paper review in which the Non-appearance Continued Review Form is completed by the caseworker, reviewed, and signed by the caseworker supervisor, and submitted to the HRU by the HRU liaison for final approval by the HRU.

Release violator (RV) – an individual under sentence to the commissioner whose release was revoked for violation(s) of standard or special conditions of release.

PROCEDURES:

A. An appearance continued review is conducted when necessary, as determined by the caseworker or HRU. Facility HRU liaisons schedule appearance continued reviews and notify the caseworker and the assigned agent or designee of the date and time of their required participation. The caseworker ensures all treatment information and reports are available to the HRU hearing officer on the day of the review hearing. The agent must be present to provide a verbal summary of residential or other placement options. The facility liaison coordinates COMS adjustments with the sentence administration unit (SAU), and all confinement release date (CRD) adjustments are tracked in COMS.

1. A release violator's (RV's) projected CRD is extended as necessary when the RV has not established an approved residence. When an RV has not established a residence by the adjusted CRD, the HRU reviews and extends the CRD to continue release planning. The CRD is extended up to 90 days for the first review and no longer than 180 days for subsequent reviews, until an agent-approved residence is established.

2. An RV participating in a treatment program imposed by the HRU is reviewed at a hearing for the purpose of extending the CRD and determining a possible completion date. An RV

with an "or less" length of reimprisonment who is not participating in programming because they were not eligible, or has refused, quit, or been terminated from the required programming, is reviewed within 30 days of the decision. At this review, the HRU will reaffirm the original treatment assessment recommendation, extend the period of imprisonment up to expiration of sentence, or extend the CRD to assist with release planning.

3. All hearing reports are saved electronically in the RV's file, and sent to facility records staff for distribution to the RV.

B. A Non-appearance Continued Review Form (attached) is completed for a RV who has not completed treatment assessment recommendations, whose proposed residential placement is unavailable, or when there is an unexpected change in the RV's placement plan at or near their projected CRD. This form is submitted to the HRU for approval one time per incarceration period. Any additional extensions require an appearance continued review. The facility is responsible for placing all Non-appearance Continued Review Forms in the RV's electronic file and delivering a copy to the RV.

1. An RV who is near completion of treatment recommendations may have their release date administratively extended by up to 60 days to allow for program completion and may be released to an agent-approved plan without an appearance continued review when the necessary programming is completed. The RV must remain free of disciplinary segregation during this time.

2. An RV with a confirmed bed at a residential placement at the time of their projected CRD is administratively extended by up to 60 days and may be released without an appearance continued review when the placement is available. The RV must remain free of disciplinary segregation during this time.

3. An RV who has a sudden change to an approved placement plan at the time of their projected CRD is administratively extended up to 14 days or until the next available HRU hearing date. The RV must remain free of disciplinary segregation during this time.

INTERNAL CONTROLS:

A. Non-appearance Continued Review Forms and hearing reports are retained in the RV's electronic file.

B. CRD adjustments are tracked in COMS.

STATE CORRECTIONAL FACILITY SECURITY AUDIT STANDARDS: None

REFERENCES: Minn. Rules Chapter 2940
Minn. Rules 2940.0100, subp 8, 21, and 22

REPLACES: Policy 106.1121, "Continued Facility Reviews for Release Violators," 3/7/17.

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

ATTACHMENTS: Non-appearance Continued Review Form (106.1121A)

APPROVALS:
Commissioner of Corrections