DEPARTMENT OF CORRECTIONS

Policy Number:	**302.140**
Title:	**Offender Marriage**
Effective Date:	**12/18/18**

PURPOSE: To provide guidelines to staff and offenders regarding offender civil marriages.

APPLICABILITY: Staff; all offenders in Minnesota correctional facilities

DEFINITIONS:
Marry – enter into a civil marriage in accordance with Minnesota law.

PROCEDURES:

A. An offender who is 18 years of age or older, or is 16 to 17 years of age with parental or guardian consent, may get married while incarcerated subject to the following limitations:
   1. An offender may not marry another offender, a DOC employee, a contractor, or an employee of a contractor.
   2. The marriage must not pose a threat to the safety and security of a facility, staff, the public, or other offenders.
   3. DOC staff must not encourage or assist in the civil marriage in any way.

B. Offenders who want to get married must notify the visiting unit. Visiting unit staff must inform the offender of this policy.

C. Facility staff may refer offenders considering marriage to the facility's religious or counseling services.

D. Offenders must arrange for an authorized individual to officiate the wedding and for two witnesses who are not offenders.

E. The officiant and any witnesses to the marriage must be on the offender's approved visiting list or obtain approval through the facility's admittance authorization process.
   1. The offender, the officiant, and any visitors must abide by all visiting rules during the ceremony. See Policy 302.100, "Visiting."

   2. Visiting lists are maintained in the correctional operations management system (COMS).

F. Offenders who get married must notify the facility records department of their changed marital status and records staff must document it in the offender's electronic file.

G. An offender requesting a name change after marriage must comply with Policy 202.130, "Offender Names."

INTERNAL CONTROLS:

A. Changes in marital status are documented in the offender's electronic file.

ACA STANDARDS: None

REFERENCES: Policy 202.130, "Offender Names"
Policy 203.010, "Case Management Process"
Policy 302.100, "Visiting"
Division Directive 300.032, "Admittance Authorization to Adult Facilities"
Minn. Stat. §§ 517.08, 517.02, and 259.13

REPLACES: Policy 302.140, "Incarcerated Offender Marriage," 8/15/17.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: Wedding Guidelines (302.140A)

APPROVED BY:
Deputy Commissioner, Facility Services
Deputy Commissioner, Community Services
Assistant Commissioner, Facility Services
Assistant Commissioner, Operations Support