DEPARTMENT OF CORRECTIONS

Policy Number:	**303.015**
Title:	**Informal Sanctions**
Effective Date:	**06/11/25**

PURPOSE: To ensure accountability of incarcerated people by providing procedures for imposing informal sanctions for minor rule violations.

APPLICABILITY: Minnesota Department of Corrections (DOC); all adult facilities

DEFINITIONS:

Informal sanctions – sanctions imposed by staff for infractions of lesser seriousness that do not rise to the level of formal discipline for an incarcerated person. Infractions that may warrant informal sanction include examples like: housekeeping issues, personal hygiene standards, violation of living unit rules and regulations, or minor behavioral disruptions. Informal sanctions may consist of written warnings, being placed on loss of privileges status, or escalation to formal discipline per Policy 303.010, "Incarcerated Individual Discipline," but do not result in extended incarceration.

Discipline – formal discipline for serious infractions and rule violations per Policy 303.010, Incarcerated Individual Discipline."

Loss of privileges (LOP) – a status assigned to an incarcerated person which results in temporarily losing access to facility privileges during non-work hours and weekends, such as flag time, elective programming, or recreation time, for misconduct of a minor nature. While on LOP status, individuals may still attend spiritual care programming and retain visiting privileges but may have limited access to phone services. Incarcerated people on LOP status are still provided the opportunity to participate in work assignments and to attend primary rehabilitative programming.

PROCEDURES:

A. Response to negative behaviors and rule or safety violations in correctional facilities may be addressed through a variety of interventions. Staff must use the lowest appropriate level of discipline or sanction when addressing violations.

B. Review

1. Upon staff determination that an incarcerated person has violated a facility or unit rule, the staff must review the violation and determine whether the violation should be handled through informal sanctions under this policy or formal discipline under Policy 303.010, "Incarcerated Individual Discipline."

2. Staff respond to rule violations with informal sanctions unless, after review of the severity of the current violation, frequency of the violation by the particular person, the impact of the violation on facility safety or order, and the incarcerated person's

informal sanctions record, it is determined that the violation is significant enough to warrant formal discipline.

3. Staff may contact the facility discipline unit for guidance when determining whether formal discipline or informal sanctions are appropriate.

C. Progressive Sanctions and Violation Group Charts

1. The Progressive Sanctions and Violation Group Charts (attached) show the categories of offenses, including unit, general facility, education/work, or cell inspection violations.

2. Staff must follow the Progressive Sanctions and Violation Groups Charts reflecting each possible informal sanction step, and examples of groupings for violations. These charts must be posted in each facility for incarcerated people to reference.

D. Informal Sanctions Process

1. Each living unit and work area must post this policy regarding informal sanctions and the Progressive Sanctions and Violation Groups Charts.

2. If the informal sanctions process is found to be the appropriate method to address the violation, the staff must notify the incarcerated person that a notice of informal sanction has been written and provide the incarcerated person with a copy of the notice. The written notice must include:
   a) A description of the specific behavior that occurred,

   b) Which facility/unit rule(s) were violated and how, and

   c) The informal sanction being issued.

3. The incarcerated person may request a review of the sanction. A supervisor/designee or sergeant who is not involved with the rule violation must hold the review immediately prior to the loss of privileges start date. The supervisor/designee or sergeant provides the incarcerated person an opportunity to present their perspective regarding the violation.

4. The supervisor/designee or sergeant must decide, after hearing the incarcerated person's explanation:
   a) Whether to uphold the informal sanction and maintain it in the person's record; or

   b) Whether to take away the informal sanction and remove it from the person's record.

   The decision of the supervisor/designee or sergeant is final and may not be appealed. The review is documented in the loss of privileges (LOP) log and the incarcerated person's unit or program file. The supervisor/designee or sergeant must notify the incarcerated person of their decision on the review.

5. A written or digital record of the violation is retained by the department, regardless of any action or review taken on the violation. After 90 days, the violation drops off the incarcerated person's informal sanctions record, meaning it cannot be used as supporting documentation in a formal discipline process to establish a history of similar violations.

6. Informal sanctions do not become part of the incarcerated person's permanent discipline record but may be used as supporting documentation in a formal discipline process to establish a history of similar violations.

7. In the event informal sanctions reach the formal discipline level, or circumstances elevate sanctions to disciplinary action, an incident report must be written citing the circumstances for formal discipline.

E. Limited Impact of Informal Sanctions

Informal sanctions have no effect on good time and do not result in extended incarceration.

F. Informal Sanctions Not Processed as Formal Discipline

Incarcerated people do not have the option to have a violation processed through the formal discipline system if staff determine informal sanctions are appropriate to address the issue.

G. Calculation of and Limitations on LOP

1. Informal sanctions must not exceed the LOP identified on the Progressive Sanctions and Violation Groups Charts for any one infraction.

2. The penalty must begin accruing within seven days of the violation or within seven days of completion of a current penalty if the incarcerated person is on formal or informal discipline status at the time of the violation.

3. Any formal discipline imposed as a result of the exhaustion of progressive informal sanctions previously assigned will automatically void any pending informal sanctions that the incarcerated person has yet to serve.

H. Records and Reporting

1. The facility maintains a written record of the nature of violations, findings, imposed sanctions, and the start and end date of the sanction(s) in the incarcerated person's unit or program area file. Issuance of informal sanctions that result in loss of privileges must be reported daily, including date and type of offense, who issued the sanction, and number of days of LOP.

2. Facility wardens/designees must direct supervisors to review LOP records quarterly to identify any informal sanctions application concerns that may result in supervisory follow up with staff. Any concerning trends must be documented by the supervisor and reported to the facility wardens/designees, who must report findings to the commissioner of corrections along with any related actions taken to correct the trend.

INTERNAL CONTROLS:

A. A written or digital record of the violation is retained by the department.

B. Any sanction review is documented in the incarcerated person's unit or program area file.

REFERENCES: Minn. Stat. § 241.01, subd. 3a(b)
Policy 204.010, "Incarcerated Person Assignment and Compensation Plan"
Policy 204.047, "Hobby Craft"
Policy 303.010, "Incarcerated Person Discipline"
Policy 302.210, "Telephone Use"
Security Audit Standards 5.05a.01 – 5.05a.03 for state correctional facilities

REPLACES: Policy 303.015, "Informal Sanctions," 6/19/18.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: Progressive Sanctions and Violation Groups Charts (303.015A)

APPROVED BY:
Commissioner of Corrections