DEPARTMENT OF CORRECTIONS

HEARINGS AND RELEASE UNIT
1450 Energy Park Drive Suite 200 - St. Paul, MN 55108
PH 651.361.7107 Fax 651-642-0417

Hearings and Release Dispositional Guide

Individuals on release differ as to their current offense, criminal history, release history, violation circumstances and adjustment to supervision. The dispositional factors listed below allow the hearing officer to impose sanctions inclusive of a restructure to reimprisonment until expiration of sentence. Some dispositions require a hearing officer finds compelling and substantial reasons for the decision, or makes a determination of risk to the public or unamenable to supervision.

Hearing officers also have authority to require individuals to complete sex offense or substance use disorder programming assessments to determine eligibility for facility-based programming. This determination will be based on whether the current violation behavior poses a significant public safety risk or the person's needs can only be addressed through institutional programming due to a lack of community-based programming.

1. MnSTARR assessment
2. Highest severity condition violated
3. Unsuccessful restructure on current release period
4. Absconded from community supervision
5. Current behavior compromised agent's safety
6. Contact with minor, vulnerable adult, or victim that was intentional or purposeful
7. Multiple violations found on current Notice of Violation (NOV)
    a. 2 to 3 violations found
    b. 4 or more violations found
8. Committed violation(s) within 3 months of release or restructure
9. Committed violation(s) consistent with prior criminal behavior, prior release violations, or prior probation violations
    a. Prior criminal behavior
    b. Prior release violation behavior
    c. Prior probation violation behavior
10. Alternative programming available in the community
11. Verified stable residence
12. Verified stable employment or education
13. Community/social support systems available
14. Significant amount of local time served
    a. 90 days or less
    b. 90 to 179 days
    c. 180 days or more