DEPARTMENT OF CORRECTIONS

Policy Number:	**107.0071**
Title:	**Violation of Order for Protection, Restraining Order or Harassment Order by Incarcerated Offender/Resident**
Effective Date:	**12/31/18**

PURPOSE: To provide procedures for the office of special investigations (OSI) to report an incarcerated offender's/resident's violation of an order for protection, restraining order, or harassment order.

APPLICABILITY: Office of special investigations

DEFINITIONS: None

PROCEDURES:

A. When an office of special investigations (OSI) staff person becomes aware of a violation of an order for protection, restraining order, or harassment order between an incarcerated offender/resident and a victim:

1. The OSI special investigator must verify that the order was active at the time of the alleged violation.

2. The OSI special investigator must notify the law enforcement agency with jurisdiction of the violation and offer assistance in the investigation if the law enforcement agency chooses to pursue the violation (see Procedure B).

3. The OSI special investigator opens a case, completes a summation of actions taken in a report to be filed in the Augmented Criminal Investigation Support System (ACISS), and files a copy of the letter sent to the outside law enforcement agency.

4. The OSI special investigator sends a letter to the documented victim informing the victim of the violation and the law enforcement contact.

5. The OSI special investigator enters the information into the no-contact section of the correctional operations management system (COMS).

B. If an outside law enforcement agent requests assistance:

1. The OSI deputy director – intelligence opens a law enforcement assistance (LEA) case and assigns the case to an investigator – corrections intelligence (ICI).

2. The ICI provides the outside law enforcement agency with all appropriate investigative assistance.

INTERNAL CONTROLS:

A. ACISS reports are stored electronically.

B. No contact orders are retained in COMS.

ACA STANDARDS: None

REFERENCES: Minn. Stat. § 609.748
Policy 107.005, "Office of Special Investigations"
Policy 107.007, "Criminal Investigations"

REPLACES: Policy 107.0071, "Violation of Order for Protection, Restraining Order or Harassment Order by Incarcerated Offender," 5/1/18.
All facility/unit policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: None

APPROVALS:
Deputy Commissioner, Community Services
Deputy Commissioner, Facility Services
Assistant Commissioner, Facility Services
Assistant Commissioner, Operations Support