DEPARTMENT OF CORRECTIONS

Policy Number: 201.010
Title: Adult Community Supervision
Effective Date: 3/19/24

PURPOSE: To provide standards for effective client supervision and enhance community safety using evidence-based best practices.

APPLICABILITY: Minnesota Department of Corrections (DOC) community services division staff.

DEFINITIONS:
Supervision agent – an employee in the job classification of DOC corrections agent, County Probation Officer (CPO) and Community Corrections Act (CCA) corrections agent responsible for providing community supervision for clients.

Supervised Release (SR) – the status of a client serving the portion of a sentence that requires supervision in the community after release from a Minnesota Correctional Facility.

Intensive Supervised Release (ISR) – the status of a client released from a Minnesota Correctional Facility who is identified as having a very high need and a very high risk to reoffend.

Challenge Incarceration Program (CIP) – a voluntary early release program for clients who meet statutory and department requirements.

Conditional Release Program (CRP) – an early release program for certain clients with convictions for non-violent controlled substance offenses.

PROCEDURES:
A. Community Relations
1. The department actively participates in partnerships with individuals, organizations, and agencies in the communities in which it supervises clients to prevent victimization, provide conflict resolution, and promote public safety. The Department's executive management, regional managers, district supervisors, corrections program directors, caseworkers, and supervision agents:
   a) Engage in collaborative problem-solving efforts with the community, promoting public safety through the sharing of information (consistent with applicable law), and education.

   b) Support efforts to develop community resources that lower the risk of clients to reoffend, are culturally-specific, and address client responsivity.

   c) Encourage the use of community residential centers for pre-release programs, alternatives to incarceration, and crisis situations.

   d) Maintain a current inventory of community agencies that provide financial and other assistance to clients and make it readily available to field staff and clients.

2. The department prioritizes services and restorative justice practices that:

a) Provide input from victims in pre-sentence investigations provided to the court before it makes a sentencing decision or establishes, removes, or modifies conditions of probation;

b) Encourage clients to take responsibility and make restitution to the victim(s) of their crime(s) and to the community; and

c) Provide victims with information at their requests per applicable state statutes.

B. General Standards of Supervision

Supervision agents provide the following guidance, assistance, and services to all clients they supervise in the community:

1. Complete a standardized and validated risk and needs assessment that includes a reassessment of risk and needs annually. Complete additional validated "trailer" assessments to address specific needs (for example, the needs of individuals who were convicted of domestic violence or driving while intoxicated (DWI) offenses).

2. For all clients who score within the medium and high risk ranges, develop an individualized case plan that is responsive to the needs of the client and that is dated and documented with supervision agent and client signatures. The case plan is a "living document" and updated at each scheduled supervision appointment. The case plan includes measurable criteria including cognitive-behavioral interventions targeting criminogenic risk factors, a time schedule for achieving specific goals, and scheduled progress reviews and adjustments.

3. Refer clients to appropriate community partners to address criminogenic needs. The community partners should be using research-based methods to address criminogenic needs with cognitive-behavioral interventions and in a way that is most responsive to the client.

4. May reduce the client's level of supervision if the client is making documented progress toward their case planning goals and through the use of cognitive-behavioral interventions targeting their criminogenic thinking and behaviors. The reduced risk should be indicated on the yearly reassessment with a validated need/risk tool.

5. Use supervision tools and strategies approved by the Department;

6. Use a series of graduated responses to address behaviors throughout supervision, including proportionate incentives for compliance and sanctions for non-compliance with conditions of supervision.

7. Notify the court or hearings and release unit (HRU) and request guidance when special conditions ordered by the court or HRU are not available.

8. Document all interactions, progress, strategies, and interventions involving the client in the electronic case record by the close of next business day.

9. Transfer supervision of clients to other agencies in accordance with DOC Policy 201.021, "Intrastate Transfer of Adult Supervision."

10. Permit out-of-state travel for up to 45 consecutive days. Travel permits must not be used to circumvent the interstate compact and must not be issued for relocation purposes. If a

transfer request is pending, a travel permit may not be issued for a client to be in the receiving state unless approved by the receiving state through the compact office. Refer to DOC Policy 206.020, "Interstate Compact for the Supervision of Adult Parolees and Probationers."

C. Probation Supervision

1. The district supervisor or designee assigns cases to supervision agents upon receipt of a transcript or sentencing court order. The supervision agent is responsible for supervising the client until the client is discharged, the client's release is revoked, or the case is officially transferred to another agency.

2. Within 30 days of case assignment, the supervision agent must conduct an initial interview with the client during which the supervision agent must:
   a) Begin the process outlined in Procedure B., above.

   b) Review the probation agreement and explain conditions to the client with the services of an interpreter, if necessary, and obtain the client's signature acknowledging the client understand the conditions; and

   c) Provide and explain the Grievance Procedure form to the client.

D. Supervision After Release from a Minnesota Correctional Facility

1. Supervision agents conduct a placement investigation after receiving the Request for Agent Assignment, in accordance with DOC Policy 203.018, "Agent Assignment and Release Planning."
   a) The supervision agent, with the client and facility caseworker, develop a release plan, including conditions, addressing release barriers, and identifying support systems.

   b) The district supervisor or corrections program director reviews and approves the Agent Assignment Response, which informs the HRU of the verified release plan to the community.

   c) Within 30 days of release, the supervision agent must conduct an initial interview with the client during which the supervision agent must:
      (1) Begin the process outlined in Procedure B, above;
      (2) Review and explain conditions to the client (with the services of an interpreter, if necessary); and
      (3) Provide and explain the Grievance Procedure form to the client.

2. Department-approved validated risk/need assessment tools and statutes determine caseload supervision assignments.

3. Intensive supervised release (ISR)/challenge incarceration program (CIP)/conditional release program (CRP) supervision agents are available 24-hours a day. Supervision agents must make clients aware of how to access the 24-hour services.

4. At the time of release, an ISR supervision agent or designee may transport ISR clients. ISR agents, in consultation with the caseworker, may allow approved family, friends, or community support persons to transport ISR clients. Clients must be directed to take a direct route home from the facility and any delays must be communicated to the agent. The supervision agent must see the client in person within four hours to start the case

planning process, review supervision conditions and expectations of the ISR program, and provide and explain the Grievance Procedure form to the client.

5. ISR clients released on electronic home monitoring must have their equipment installed prior to their release and agents must verify the equipment is working properly when the client arrives at their residence, in accord with Minn. Stat. § 244.05, subd. 1d.

6. When the initial placement for an ISR/CIP/CRP client is a staffed facility, the supervision agent must see the offender within 48 hours.

7. All supervised release clients must report to their supervision agent within 24 hours of release

E. Responding to Alleged Violations of Conditions of Supervision

1. Supervision agents, with the approval of the district supervisor or corrections program director when available, request warrants and apprehension and detention (A&D) orders for clients when there is adequate evidence that the client has committed:
   a) A serious violation or repeated violations of the conditions that pose a safety risk to the community; or

   b) A new offense.

2. The supervision agent arranges for a pre-arrest briefing prior to any planned arrest, with all officers and other law enforcement agencies participating in the action.

3. The supervision agent issues informal sanctions in accordance with ISR, CIP or CRP requirements, imposes community work service in accordance with statute, and imposes other sanctions with authorization of the court or the HRU.

4. Supervision agents must investigate all alleged violations of conditions and document results electronically in the case record.

5. When violations occur, supervision agents consider and must use alternatives to revocation and incarceration to the extent that public safety allows, and submit violation reports to district supervisors or designees for review and approval prior to submitting them to the court or HRU.

6. When permitted by law, supervision agents continue to supervise absconders in the community who have committed no new crimes and who do not pose an undue public safety risk.

F. Discharging Clients from Community Supervision

1. When clients are eligible for early discharge from probation after meeting agency criteria such as progress toward their case planning goals, supervision agents complete a transition plan with the client to ensure adequate and ongoing community supports. Supervision agents must also complete a discharge report summarizing the progress of the client during the entire period of supervision. This should include the progress toward their case planning goals and compliance with conditions of supervision. Both reports should be retained electronically in the case record.

2. When clients' sentences expire and they have complied with their conditions of probation, the supervision agent must complete a chronological summary of the client's progress during supervision and maintain it electronically in the case record.

3. Clients are not eligible for early discharge from supervised release. Upon expiration of sentence, supervision agents must complete a chronological summary of the client's progress during supervision and maintain it electronically in the case record.

G. Oversight Responsibilities of District Supervisors or Corrections Program Directors

1. District supervisors or corrections program directors systematically review the quality of community supervision from both an administrative and case-management perspective by conducting regular case reviews, observing and coaching supervision agents, proficiency testing, and providing feedback to supervision agents. Quality assurance documentation is saved electronically in the supervisory file.

2. District supervisors and corrections program directors review all written grievances submitted by clients, respond in writing, and inform clients of the process for appealing grievance responses. Client grievance data is evaluated annually to determine efficiency and effectiveness of the procedure.

INTERNAL CONTROLS:

A. All interaction, progress, strategies, and interventions are documented electronically in the case record.

B. All client reports are documented electronically in the case record.

C. Quality assurance documents are saved electronically in the supervisory file.

REFERENCES: Minn. Stat. §§ 169A.20; 241.01; 243.05; 243.166, subd. 4(b); 244.05, subd. 6; 244.0513; 244.057; 244.13; 244.17 to 244.173; 244.197; 244.198; 244.199; 244.1995; 244.20; 244.24; 256J.26; 609.12; 609.13; 609.135; 609.14; 609.15; 609.165; 611A.037; 626.556
Policy 203.260, "Victim Notification."
Policy 201.021, "Intrastate Transfer of Adult Supervision."
Policy 206.020, "Interstate Compact for the Supervision of Adult Parolees and Probationers."
Policy 203.018, "Agent Assignment and Release Planning."

REPLACES: Policy 201.010, "Adult Community Supervision," 1/15/19.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: None

APPROVALS:
Deputy Commissioner, Chief of Staff
Deputy Commissioner, Client Services and Supports
Assistant Commissioner, Agency Services and Supports
Assistant Commissioner, Facilities
Assistant Commissioner, Facilities
Assistant Commissioner, Community Services and Reentry

Assistant Commissioner, Health, Recovery, and Programming