Minnesota Department of Corrections

Policy:	**202.120**
Title:	**Offender Incompatibility**
Effective Date:	**8/15/17**

PURPOSE: To establish a consistent, centralized offender incompatibility system to review issues of incompatibility between offenders, and enhance the security and safety of offenders and staff at all adult facilities.

APPLICABILITY: Minnesota Department of Corrections (DOC) adult facilities

DEFINITIONS:

Active incompatibility – when documents in the correctional operations management system (COMS) indicate that two offenders need to be separated.

Inactive incompatibility – when the issues requiring the offenders to be separated no longer exist.

Incompatibility – a designation when there is compelling evidence that indicates there is a risk of serious bodily injury to an offender, if the offender is not physically separated from another offender.

Incompatibility reviewer (IR) – person assigned by the DOC to make decisions regarding incompatibilities from supporting documentation sent by the facilities.

PROCEDURES:

A. Determining/Reviewing Offender Incompatibility

1. Any staff may initiate the incompatibility review process by writing an incident report. Lieutenants, case managers, or other designated staff must complete incompatibility investigations.

2. Each warden must establish a facility incompatibility committee to review offender incompatibilities. The committee must have a chair and clerical support with membership and/or input from case management, security, and the office of special investigations (OSI).

3. Within seven business days of receiving an incident report, the committee must review each issue of incompatibility. Upon receipt of all supporting documentation, the committee must recommend whether an incompatibility should be assigned.
   a) Agendas are sent out to committee members in advance. Agendas with disposition assigned are retained by the committee chair at the facility.
   b) If there is not enough information to make a decision, additional information is requested and the case is re-scheduled for the next meeting.

4. If the committee recommends assigning an incompatibility, the supporting documentation must be electronically forwarded to the incompatibility reviewer (IR), with a copy to all the committee chairs at the facilities. The IR must review the committee's recommendation, determine whether to assign an incompatibility, and electronically notify the committee within three business days. The IR must ensure that incompatibilities are

assigned consistently across facilities. The facility must add the incompatibility to the incompatibility list in COMS. Incompatibility lists are confidential.

5. As directed by the IR, necessary offender placements are completed.

6. The case manager must review offender incompatibilities with the offender during annual review. The case manager must forward information from the annual review to the facility incompatibility committee, who must review the information and document action taken. The facility incompatibility committee must forward any recommendation to inactivate an assigned incompatibility to the IR for approval, with a copy to all the committee chairs at the facilities. When review is complete, all supporting documentation is uploaded to the electronic offender file.

B. Addressing Offender Concerns

1. Offenders must immediately inform staff of potential threats to their safety. Offenders are required to cooperate with staff in the investigation and resolution of the offender's concerns, including the provision of names and all other relevant information concerning the source of the threat.
2. When investigating offender concerns, the options that may be considered include such examples as:
   a) Allowing the offender to remain in his/her present living unit, including a possible transfer to another cell/room within that unit;
   b) Transferring the offender to another living unit;
   c) Temporarily placing the offender on administrative segregation status;
   d) Transferring the offender to another department facility; and
   e) Transferring the offender to a non-department facility.

C. Maintaining Incompatibility Assignments

Each committee must update and maintain the incompatibility assignments of the offenders in COMS.

INTERNAL CONTROLS:

A. Supporting documentation of incompatibility assignments are retained in the electronic offender file.

B. The department incompatibility list is maintained in COMS.

ACA STANDARDS: 4-4251, 4-4273, 4-4281

REFERENCES: Minn. Stat. §241.01, subd. 3a (a) (b)

REPLACES: Division Directive 202.120, "Offender Incompatibility," 5/17/16.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: None

APPROVALS:
Deputy Commissioner, Facility Services
Deputy Commissioner, Community Services

Assistant Commissioner, Facility Services
Assistant Commissioner, Operations Support