Minnesota Department of Corrections

Division Directive:	**203.016**	**Title: Classification and Assessment**
Issue Date:	**5/7/13**	
Effective Date:	**5/21/13**	

AUTHORITY: Minn. Stat. §§ 609.12; 609.13; 241.01; and 243.05

PURPOSE: To ensure the consistent use of a risk/needs classification tool that addresses the offender's risk to reoffend and the steps necessary to reduce that risk. To assess potential risk, determine intervention targets, measure offender change, and establish the foundation for case management practices.

APPLICABILITY: Minnesota Department of Corrections (DOC); all adult offenders placed under the supervision of a DOC agent, as well as those offenders for which a pre-sentence investigation (PSI) has been ordered

DIRECTIVE: Within 30 days of a case assignment, the agent must complete a pre-screening risk assessment on all adult offenders assigned for probation supervision. The agent must complete a full, automated level of service /case management inventory (LS/CMI) risk/needs assessment on those offenders identified by this directive. If it is determined that offenders must be transferring within 90 days to a jurisdiction that does not use the LS/CMI, a LS/CMI is not required. A full LS/CMI must be completed on offenders released from a department correctional facility, unless a LS/CMI was completed in the past six months prior to an agent assuming direct supervisory responsibility. Agents must conduct a reassessment at least annually and may do so more frequently if it appears warranted on offenders classified as medium or maximum. Agents must supervise offenders in accordance with the standards of supervision established in Division Directive 201.022, "Adult Probation and Supervised Release Supervision Standards." A copy of all completed risk instrument forms must remain in the agent's file.

DEFINITIONS:

Administrative reduction - the process used to decrease an offender's level of supervision when an agent's workload exceeds the level which can be supervised during the time available.

Agent – an employee in the job classification of corrections agent, correction agent senior, or corrections agent career, whose primary job function is to assess and manage offenders as ordered by the courts or the department hearings and release unit (HRU).

Date of case assignment – the recorded date that the supervisor transmits the instructions to the agent that the case has been assigned.

Override – the process used to increase or decrease level of service based on factors not reflected in the LS/CMI score.

Pre-screening assessment – a process approved by the field services director to determine the appropriate use of the full LS/CMI assessment for those offenders under the correctional supervision of an agent.

Quality assurance – a process that insures the consistency of the results of the LS/CMI.

Quality assurance designee – supervisor or person assigned responsibility for the quality of the LS/CMI's produced.

PROCEDURES:

A. Pre-sentence investigations:
   1. When the court has ordered a PSI, an LS/CMI assessment must be completed as part of the PSI on offenders convicted of a felony and all gross misdemeanor and misdemeanor convictions of crimes against a person, including disorderly conduct convictions arising out of a domestic assault.
   2. The agent must follow the established format for the PSI, and must include relevant risk/need information from the LS/CMI in each pertinent section.
   3. A copy of the LS/CMI must be forwarded to the intake correctional facility on all offenders committed to the DOC.
   4. If an offender refuses to participate in the LS/CMI assessment process, the agent must obtain as much information as possible from and about the offender and document the refusal in the court services tracking system (CSTS). The offender must be supervised at an enhanced level of supervision until such time the offender agrees to participate in the assessment process or the agent has sufficient information to complete a full LS/CMI.

B. Probation supervision:
   1. A full LS/CMI must be completed on all person felony offenders.
   2. A department pre-screening tool must be completed on all adult misdemeanor and gross misdemeanor offenders and property felony offenders assigned to probation supervision if no LS/CMI has been completed for the current offense. The Wisconsin reassessment risk tool is currently the department's pre-screening assessment tool.
   3. Offenders receiving a score of seven or less on the pre-screening tool are assigned to minimum supervision and must not require a full LS/CMI. A full LS/CMI may be completed if one is needed, in the opinion of the agent.
   4. A full LS/CMI must be completed on all felony, gross misdemeanor, or misdemeanor offenses when the pre-screening tool assigns a score of eight or more.
   5. If a new case is scheduled to be transferred within 90 days of receipt to a jurisdiction that does not use the LS/CMI, no pre-screening is required.
   6. Cases transferred and accepted for supervision with no accompanying pre-screen or full LS/CMI must be assessed within 30 days of case assignment.

C. Supervised release:
   1. An LS/CMI must be completed on all offenders released from a department correctional facility within 30 days of release unless one was completed within the past six months of an agent assuming direct supervisory responsibility.
   2. Supervised releasees must be transitioned to the community by being supervised at an enhanced level for up to 90 days. Thereafter, the LS/CMI score determines the level of supervision and the offender must be supervised in accordance with the Division Directive 201.022, "Adult Probation and Supervised Release Supervision Standards."
   3. Offenders on intensive supervised release and the Challenge Incarceration Program (CIP) phase II and phase III must be supervised using the standards developed for these programs.

D. Quality assurance:
   1. Supervisors must be trained as a user in the assessment tool, complete training specific to quality assurance, and participate in annual booster training for supervisors as a group.

2. Agents must successfully complete all three phases of LS/CMI training prior to using the assessment tool.

3. Supervisors must ensure all agents conducting assessments attend assessment booster training at least annually. All booster training must be conducted by certified/trained trainers.

4. The supervisor must ensure the review of completed LS/CMIs as follows:
   a) The LS/CMI assessments of new agents must be monitored for proficiency by the supervisor. Remediation must be offered when proficiency is not achieved.
   b) The supervisor must establish and actively participate in a peer-review process within the district. The peer-review process is to occur at least quarterly and must include randomly-selected LS/CMIs. A minimum of five percent of the LS/CMI assessments completed by each agent annually must be reviewed for accuracy and compliance.
   c) Supervisors must ensure posting of all completed LS/CMI assessments on the Department of Corrections Statewide Supervision Portal (DOCPort).

5. Agents must participate in scoring proficiency testing.

6. All LS/CMI trainers must annually participate in booster trainings as a group and other pertinent training for trainers.

E. Overrides:

1. If the agent completes the LS/CMI and believes there are compelling reasons to increase or decrease the offender's level of supervision, the agent must complete the client based override section of the automated scoring system (client based override) and submit it to the supervisor for approval/sign-off. Copies of approved overrides must be kept in the agent's file. The following are potentially permissible reasons for an override, but an override is not required in each circumstance where a potentially permissible reason exists. The agent must also determine the reason is compelling:
   a) Victim related issues – the victim is determined to be vulnerable due to capacity issues and the offender is geographically proximate to the victim.
   b) Presence of exceptionally predatory sexually assaultive behavior in the past.
   c) Community sensitivity – the current offense or offense history is sufficiently significant to cause substantial concern in the community. This reason is not intended to apply to a category of offenses.
   d) Mental health concerns – the offender is unable to care for him/herself due to mental health concerns, is suicidal, and/or is identified as seriously and persistently mentally ill and not engaged in community services.
   e) Serious physical impairment of offender which inhibits his/her ability to engage in criminal/anti-social behavior.

2. Policy/administrative overrides for felony driving while impaired (DWI) and sex offenders are to be entered into section 6.3 of the automated scoring system. The offenders must be supervised per Division Directive 201.022, "Adult Probation and Supervised Release Supervision Standards."

F. Reassessments:

1. At a minimum, a LS/CMI reassessment must be completed annually until an offender reaches minimum or paper classification, or:
   a) When new information is received regarding an offender's risk to the community; or
   b) At the discretion of the agent.

2. Results of the reassessment must be recorded in the case file and reported to the offender.

G. Administrative reductions (all offense levels):
1. Purpose: administrative reductions provide a means for supervisors and agents to agree upon changes in offender supervision levels when an agent's workload exceeds the level, which can be supervised during the time available.

2. Required supervision level: agents are expected to provide offender supervision in accordance with established standards for the offender's administratively reduced classification level.

3. Recording: administrative reductions in supervision level must not be reflected as override on the assessment forms. The assessment forms must reflect the level of supervision the offender ought to receive if workloads permitted. Copies of approved request for administrative reduction forms must be kept in the offender's file.

4. Frequency: agent workloads fluctuate from month to month and cannot be maintained exactly at the optimal level. Supervisors must be aware of these fluctuations and review high caseloads regularly for administrative reduction. Agents may also take the initiative at any time in requesting supervisory approval for administrative reductions.

5. Procedures: the classification system is used to provide the initial point of review for changes in supervision. Supervisors and agents must utilize the following steps when reducing the caseload points; however, reduction in supervision levels must not be automatic on the basis of established priorities. Each case must be reviewed for appropriateness and professional judgment exercised.
   a) Review all cases for legitimate reclassification based upon changes in the offender's situation.
   b) Review minimum and medium cases for possible administrative reductions.
   c) Review all non-person offender maximum cases for possible administrative reductions.
   d) Review all remaining maximum cases for possible administrative reductions.
   e) Note: maximum cases whose current offense is an offense against a person may not be administratively reduced during the first six months of supervision.

6. No administrative reduction is allowed during the first three months of community supervision for offenders who are currently on supervision for an offense against a person.

H. Case reviews:
1. Purpose: the purpose of the case review is to assist the agent in problem solving, case planning, classification, and general discussion. Case reviews must also assure the supervisor that cases are being supervised in accordance with department standards, policies and procedures, and to assist in making administrative reductions, in coordinating overall assignments of PSIs, and the contracting of pre/post sentence reports.

2. Procedure: the procedure for case reviews consists of a review of a variety of individual case files, as well as discussion between agent and supervisor regarding specific case problems and/or caseload management issues. Also, when it is determined an agent's caseload is excessive, the supervisor and agent must determine which cases may be administratively reduced.

3. Frequency: the case review process must be ongoing, however, a minimum of five enhanced-offender files, ten traditional-offender files, and fifteen group-offender files must have an annual formal review.

I. Transfers and commitments: at the time of transfer to another agency or commitment to a correctional facility, the agent must ensure that a current copy of the LS/CMI is sent to the receiving agency/facility.

REVIEW: Annually

REFERENCES: ACA Standards 3-3130 through 3-3133, 3-3136, 3-3138, 3-3139 and 3-3145

SUPERSESSION: Division Directive 203.016, "Classification and Assessment," 9/7/10.
All policies, memos, or other communication whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: Reassessment of Client Risk (203.016A)

/s/
Deputy Commissioner, Community Services