DEPARTMENT OF CORRECTIONS

Policy Number:	**204.060**
Title:	**Challenge Incarceration Program – Phase I**
Effective Date:	**11/29/22**

PURPOSE: To provide eligibility requirements, admission procedures, and program requirements for phase I of the challenge incarceration program (CIP).

APPLICABILITY: Incarcerated people (IPs) in adult correctional facilities

DEFINITIONS: None

PROCEDURES:

A. Eligibility for the Challenge Incarceration Program (CIP)

1. Incarcerated people are not eligible for CIP if they:

a) Are committed to the commissioner or corrections, or have been convicted and committed to the commissioner of corrections in the preceding ten years, with a sentence for murder, manslaughter, criminal sexual conduct, assault, kidnapping, robbery, arson, or any other offense involving death or intentional personal injury;

b) Have been convicted or adjudicated delinquent within the preceding five years of escape from custody in violation of Minn. Stat. § 609.485;

c) Are committed to the commissioner's custody for an offense that requires registration under Minn. Stat. § 243.166;

d) Are subject to a current arrest warrant or detainer;

e) Have fewer than 13 months remaining on their term of imprisonment;

f) Have been placed in segregation or had disciplinary confinement time added to their term of imprisonment within 90 days;

g) Are currently subject to a suspended formal disciplinary sanction;

h) Are serving a sentence from another state or the United States;

i) Are serving a sentence that involved an upward dispositional departure; or

j) Meet any of the criteria for mandatory intensive supervised release (ISR):

(1) End of confinement review committee (ECRC) Level 3;

(2) Minnesota Screening Tool Assessing Recidivism Risk (MNSTARR) non-sexual violent recidivism probability of 30% or more; or

(3) MNSTARR repeat sexual offense recidivism probability of 10% or higher.

2. Eligible incarcerated people:

a) Must have 13 months or more to their confinement release milestone when they are admitted to CIP;

b) Who are serving mandatory sentences, must fulfil their full term of imprisonment prior to release from Phase III;

c) Who are release violators, must complete their terms of reimprisonment before they can be released on Phase II; and

d) Who have previously participated in CIP, must have been incarcerated for at least 60 days in a level 3 or higher facility before re-applying for CIP and must be serving under a new sentence. Incarcerated persons who were revoked or removed from any of the CIP phases must complete their original term of imprisonment.

B. Admission to CIP

Because CIP is a voluntary program, incarcerated people must apply, undergo eligibility and medical/mental health screening, and complete pre-admission programming requirements.

1. Application

Incarcerated people may apply when they have reached 60 months or less to their confinement release milestones. Incarcerated people may apply by sending an application or a kite to "CIP Intake."

2. Eligibility screening

a) CIP caseworkers review all applications to determine if the incarcerated person meets all eligibility requirements. Then the caseworker recommends provisional admission or denial to the CIP director/designee.

b) The CIP director/designee reviews recommendation and either approves or denies provisional admission in writing to the incarcerated person and sends a copy to the incarcerated person's caseworker, noting a tentative admission date if provisional admission is approved. A copy of the provisional admission decision is retained in the document storage system (ODocS).

c) Incarcerated people who decide they do not want to participate in CIP must notify "CIP Intake" in writing.

d) Male incarcerated people approved for provisional admission are transferred to the Minnesota Correctional Facility (MCF) – Moose Lake in sufficient time to complete the subsequent admission procedures; female incarcerated people complete the subsequent admission procedures at MCF-Shakopee.

e) Copies of all forms and notifications are retained in ODocS.

3. Medical and mental health screening

a) Medical and mental health providers evaluate each incarcerated person to determine whether they will be able to comply with all CIP requirements. Disqualifying conditions include such as examples as:

(1) An uncontrolled or unstable chronic illness;

(2) A frequently-occurring acute illness that requires medical or mental health monitoring beyond the resources of CIP; or

(3) A condition that has a high likelihood of requiring urgent or frequent medical or mental health intervention.

b) If the medical practitioner determines the incarcerated person has a disqualifying condition, the medical practitioner notifies the CIP director/designee in writing that the incarcerated person does not currently meet pre-screening eligibility criteria. A copy of the notification is retained in ODocS.

c) If the incarcerated person does not currently meet pre-screening eligibility criteria, the CIP director/designee notifies the incarcerated person in writing and retains a copy of the denial letter in ODocS.

4. Appeal of ineligibility decision
Incarcerated people who are denied admission, except those who have previously participated in CIP, or those who have been reviewed by the CIP warden for discretionary review, may appeal the decision to the deputy commissioner of facility safety and security or their designee by submitting a Denial of Entrance/Program Termination Appeal form (attached) within 10 days of receiving notice. Copies of the appeal and decision are retained in ODocS.

C. CIP Phase I
Before incarcerated people receive a certificate of completion for Phase I, the CIP director/designee must verify that they have fully participated and successfully completed all required program components, and have actively served a minimum of 180 days in Phase I. Program components include such examples as:

1. Physical training: A rigorous physical training program designed to teach personal discipline and improve the incarcerated person's physical and mental well-being.

2. Education: Individualized educational programming designed to improve adult basic education skills.

3. Substance use disorder: Treatment to identify the biological, environmental, behavioral, and social causes and consequences of alcohol and drug use and addiction; and to develop new and improved strategies to prevent drug and alcohol use and its consequences.

4. Military bearing, drill and ceremony: Intensive instruction in military drill and ceremony, military bearing, customs, and courtesy.

5. Facility work crew or work detail: A facility work crew assignment and work detail component that includes strenuous work on campus.

6. Cognitive behavioral skills programming: Training in the ability to focus and providing incarcerated people the opportunity to model and practice social skills and problem-solving skills that allow them to be more successful and reduce maladaptive behaviors.

7. Restorative Justice Work Crews (RJWC): Opportunities to give back to the community while learning work ethics, job skills, good work habits, and positive attitudes by serving on RJWC.

a) Non-profit community and government organizations may submit project requests, which are reviewed and approved by the safety administrator and CIP program director/captain annually.

b) The RJWC sergeant ensures training is provided to the incarcerated people and proper personal protective equipment is used during all work projects.

8. Team building: Incarcerated people squads participate in team building exercises that promote prosocial skills, effective problem solving and successful communication.

9. Squad meetings: Assigned correctional officers facilitate regularly-scheduled squad meetings to discuss squad issues, to practice effective problem solving, and to identify any issues preventing positive squad cohesion.

10. Levels of advancement (indicated by hat colors).

D. Informal Progressive Interventions and Sanctions

During CIP Phase I, incarcerated people are subject to informal interventions and sanctions for minor behavioral issues and unacceptable program adjustment. Participants may receive formal discipline according to the Discipline Rules (303.010I in English and Spanish, links attached). The informal sanctions are based on the CIP philosophy and general orders and designed to provide a broad range of responses to deal with violations of CIP's informal rules. Staff may implement informal sanctions at any time, including such examples as:

1. Refocus: Pushups are assigned to an incarcerated person to help them refocus after a minor infraction.

2. Intervention: A documented interaction between a staff member and an incarcerated person that occurred to remedy a below-standard action or behavior, or to acknowledge an above-standard action or behavior.

3. Thinking report: A written assignment which requires the incarcerated person to identify behavior(s) which led to an intervention. The incarcerated person examines their thinking, recognizes the risk, and then identifies new thinking that leads to different consequences.

4. Learning experiences (LE): A sanction given to an incarcerated person who commits an informal rule infraction.

5. Hat color hold: The non-advancement of an incarcerated person's status due to poor motivation, unsatisfactory program participation, unsatisfactory evaluations, or accumulation/ progression of discipline.

6. Hat color reduction: The reduction of an incarcerated person's hat color status due to poor motivation, unsatisfactory program participation, unsatisfactory evaluations, or accumulation/ progression of discipline.

7. Recycle: An incarcerated person is reduced to a red hat color and reviewed weekly for hat color advancement due to accumulation of LEs, white hat status, or not progressing in the program as required.

8. White hat status: A status assigned to an incarcerated person for conduct inconsistent with CIP philosophy and commitment to the program.

9. Revocation: Removal from the program due to an accumulation of progressive informal sanctions, refusal to participate in programming, termination from substance use disorder treatment, or imposition of formal discipline. Incarcerated people who get revoked are returned to a higher custody facility.

E. Termination from Phase I

1. Once admitted to CIP, incarcerated people may be terminated in any of the following ways:

   a) Rescission – if a change occurs in the incarcerated person's eligibility status (for example, legal, medical, mental health, or other administrative reason). Incarcerated people who are rescinded are administratively reviewed for reentry to the program if and when the eligibility issue is resolved.

   b) Revocation – when the incarcerated person has violated the program agreement. Incarcerated people who are revoked must be removed from CIP and transferred to the appropriate correctional facility.

   c) Voluntary termination – when the incarcerated person voluntarily chooses to discontinue participation in the program.

2. Terminations, except for voluntary termination, may be appealed to the deputy commissioner of facility safety and security/designee.

3. Records of any termination are retained in ODocS and by the CIP program.

F. Program Completion and Release to Phase II

During CIP phase I, an incarcerated person must work with their caseworker and field services agent in the development of a release plan. Upon successful completion of CIP phase I, incarcerated people are transitioned to phase II, which occurs in the community; see Policy 201.010, "Adult Community Supervision," for information.

INTERNAL CONTROLS:

A. A copy of all CIP documentation is retained electronically in ODocS, and records of any termination are also retained in the CIP files.

ACA STANDARDS: 1-ABC-1A-11; 1-ABC-1A-16; 1-ABC-4A-01

REFERENCES: Minn. Stat. §§ 244.17 through 244.172; 609.485; and 243.166
Policy 106.300, "Management of Records and Sentence Administration"
Policy 201.010, "Adult Community Supervision"
Policy 303.010, "Offender Discipline"
Policy 303.101, "Kites/Communication"

REPLACES: Policy 204.060, "Challenge Incarceration Program – Phase I," 2/1/20.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: CIP Forms are also available on the CIP iShare site
Challenge Incarceration Program Application (204.060M)
Denial of Entrance/Program Termination Appeal Form (204.060V)
Recycle Agreement (204.060W)
Voluntary Termination (204.060X)
Intentional Personal Injury (204.060Y)
Public Safety Concern (with CIP Logo) (204.060Z)
Discipline Rules (English) (303.010I)
Discipline Rules (Spanish) (303.010I(Spanish))

APPROVED BY:
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