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| **Policy:** | **205.115** |
| **Title:** | **Sentencing to Service (STS) Program** |
| **Effective Date:** | **1/2/18** |

**PURPOSE:** To operate in partnership with local law enforcement and corrections agencies a program that provides state district courts with an alternative sanction for selected non-dangerous offenders and allows offenders to perform restorative work in the community in lieu of restitution, fines, court-ordered costs, or other statutorily-authorized correctional fees.

**APPLICABILITY:** Minnesota Department of Corrections (DOC) staff; local and regional law enforcement and corrections agencies

**DEFINITIONS:**

Individual placement – one or more crew member(s) supervised on site by someone other than a Sentencing to Service (STS) crew leader.

Sentencing to Service (STS) crew –one or more crew members supervised on the worksite by an STS crew leader.

Worksite supervisor – a staff person in a community organization or agency who supervises crew members performing work in the community as an individual placement.

**PROCEDURES:**

A. Sentencing to Service (STS) Program Operation

1. DOC STS programs
   The DOC enters into a two-year contract with the local government agency to provide a specific number of crew leaders to supervise offender crews that work on projects selected by DOC district supervisors, 75% of which benefit the local community. In exchange, the local government pays an agreed-upon amount to cover the costs of salaries, benefits, training, equipment, and transportation.

2. Local STS programs
   The local or regional law enforcement or corrections agency employs an agreed-upon number of crew leaders to supervise offender crews that work on projects selected by local program staff, 25% of which benefit the state, and the program agrees to comply with DOC policies regarding participation by juveniles, accident prevention, and claims from injured crew members. In exchange, the DOC pays an agreed-upon amount.

B. Submission and Selection of Project Proposals for DOC STS Programs

1. State, regional, or local agencies and non-profit organizations may submit project proposals online at: http://www.doc.state.mn.us/pages/index.php/supervision-community/offender-programs/sentencing-service/

2. District supervisors review all project requests to ensure proposed projects:
   a) Will benefit the community or provide crew members with opportunities to repair harm caused by crime;

b) Will not include any regularly-scheduled work of federal, state and local governmental agencies, or school districts;

b) Have adequate funding sources to provide all supplies and special equipment required;

c) Can be completed safely by available crews; and

d) For individual placements, that the crew will be adequately supervised.

3. Further, the primary purpose of STS to reduce the number of jail beds needed, the district supervisor must determine whether juvenile-only crews could jeopardize participation by the adult population normally served by the program.

C. Referral to STS Programs

Offenders can be required or allowed to perform community work service, including Sentencing to Service, by:

1. A state district court as a part of a sentence;
2. A state, county or Community Correction Act (CCA) agent as a consequence for a violation of the conditions of supervision; or
3. A local law enforcement agency in lieu of jail time or to work off statutorily-authorized correctional fees.

D. STS Program Intake

1. Crew leaders give all crew members an STS Crew Member Program Packet (link below) that contains key information about the STS program, including work rules and requirements, proper dress, harassment, reporting accidents, and discipline procedures. The packet also contains the Crew member Medical Information Sheet and an Information Sheet on Community Work Service Injury Claims.

2. Crew members must sign and submit the signature page to indicate receipt of the program packet and the Crew Member Medical Information Sheet.

3. Crew leaders must verify that all new crew members have received an STS Crew Member Program Packet and that each crew member has read it.

4. When the Crew Member Medical Information Sheet indicates a crew member has a medical restriction and:

a) The crew member is housed at a local correctional facility, the crew leader must verify the information with facility medical staff and consult with medical staff and the district supervisor to determine if the crew member may participate; or

b) The crew member is not housed at a facility, the crew member must provide the crew leader with a doctor's release for work before being allowed to participate with the crew.

5. The crew leader must retain the signature sheet and Crew Member Medical Information Sheet from the program packet for a period of seven years.

6. Crew leaders may allow juveniles to participate in STS programs when there is particular need to provide services to juveniles, or when the need for adult crews is not as high.

E. STS Assignments

1. Crew leaders may assign crew members to work on crews they will supervise or at individual placements, as long as each assignment complies with any medical restrictions of the crew member and the special restrictions that apply to juvenile crew members.

2. Crew leaders arrange transportation and supervise crews at project worksites.

3. Crew leaders, local restitution coordinators, or probation officers may make individual placements as long as:
   a) The district supervisor approves;
   b) The program staff members have a working relationship with the worksite supervisor and are confident that the crew member(s) will receive adequate supervision in a safe and healthy work environment;
   c) A staff person at the individual placement must be designated as the worksite supervisor and must supervise crew members at all times;
   c) The worksite supervisor signs an Individual Placement Worksite Supervisor Agreement (link below) agreeing to meet program expectations and supervisory responsibilities, and program staff forward the form to the district supervisor;
   d) The worksite supervisor must not authorize the use of any heavy equipment, industrial power tools, chain saws, or brush saws; and
   e) The worksite supervisor has an established plan for contacting the STS crew leader in the event of an emergency.

4. Special restrictions for juvenile crew members
   a) Juveniles must be at least 14 years of age to participate.
   b) Juveniles who are18 at the time of referral or certified as adults must be assigned to crews with adult crew members.
   c) Juvenile crew members must have a parent or guardian sign the crew member packet signature page and provide a name and phone number for a parent or guardian; and the crew leader must confirm the signature is that of a parent or guardian.
   d) The work performed by juvenile-only crews must be consistent with current child labor laws.
   e) Juveniles must be mature enough to work on the project that the crew is to complete.
   f) Crew leaders must use their discretion to determine appropriate crew size but, generally, juvenile crews should be limited to six crew members.

F. Crediting STS Hours

Crew leaders enter data regarding hours of service for each crew member in the Court Services Tracking System (CSTS).

1. Crew leaders must give crew members credit for actual hours worked based on the jail time and fine credit ratios established by the court or designee (i.e. sheriff, jail administrator, or probation official).
2. Crew leaders may give crew members up to two hours' work credit if the crew member reports for work, but the crew leader is unable to take the crew out due to severe weather, crew leader illness, vehicle problems, or similar situations beyond the crew leader's control.
3. Crew leaders who end the day early for personal reasons may not give crew members a full day's credit.

4. Only the sentencing court or designee may give crew members credit for hours not worked.

G. Field services staff complete a quarterly statewide activity report, including details on available crew members, crew members completing the program, crew members prematurely terminated, supervised work hours completed, labor recipients, jail days saved, the value of jail days saved, the dollar amount of fines/fees satisfied, and the value of projects completed. The report is retained by field services, and a copy is sent to the local programs.

**INTERNAL CONTROLS:**

A. The quarterly statewide activity report is retained by field services.

**ACA STANDARDS:** None

**REFERENCES:** Minn. Stat. §§ 243.05, 244.196, 401.02, 401.025, 641.12, 609.135

**REPLACES:** Policy 205.115, "Institution Community Work Crew Program (ICWC) Affordable House Building Program," 8/19/14.
Division Directive 205.116, "Sentence to Service (STS) and Institution Community Work Crew (ICWC) Staff Selection, Training and Activity," 8/19/14.
Division Directive 205.117, "Sentence to Service (STS) and Institution Community Work Crew (ICWC) Staff Selection, Training and Activity," 12/6/16.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

**ATTACHMENTS:** Available for staff only on the DOC intranet
Worksite Supervisor Agreement
STS Client Intake/Referral form
STS Crew Member Program Packet
STS Crew Member Program Packet (Spanish edition)

**APPROVED BY:**
Deputy Commissioner, Facility Services
Deputy Commissioner, Community Services
Assistant Commissioner, Facility Services
Assistant Commissioner, Operations Support