
Policy Number: 205.122
Title: COVID-19 Expanded Work Release Program
Effective Date: 10/20/20

PURPOSE: To increase social distancing practices and create additional capacity to employ quarantine and containment strategies within correctional facilities due to the Coronavirus Disease 2019 (COVID-19), the Minnesota Department of Corrections (DOC) is temporarily expanding the work release program to allow incarcerated adults who have served at least half of their terms of imprisonment to reside in approved programs/residences in the community up to three months prior to their scheduled supervised release date. Approved adults must work at paid employment, seek employment, or be involved in vocational programming or educational programs under the supervision of the work release unit while continuing to serve their terms of imprisonment. This temporary policy is in effect until otherwise amended.

APPLICABILITY: Incarcerated adults; adult facilities; work release unit; work release facilities.

DEFINITIONS:

Approved programs/residences –applicable programs or residences approved by the work release director and/or assigned supervision staff person.

PROCEDURES:

- A. The Covid-19 Expanded Work Release Program (C19EWRP) is managed by the Minnesota Department of Corrections (DOC) work release unit, which oversees supervision of participants accepted into the program.
- B. C19EWRP release criteria
1. To be eligible to apply an applicant must:
 - a.) Have served at least one half of their term of imprisonment;
 - b.) Have no more than 3 months remaining to release;
 - c.) Have an assessment score using the Minnesota Screening Tool Assessing Recidivism Risk (MNSTARR):
 - (1) If male, of medium or low risk; or
 - (2) If female,
 - (a) Violent recidivism less than 20 percent, and
 - (b) Felony recidivism less than 52 percent, and
 - (c) Non-violent recidivism less than 75 percent;
 - d.) Are currently serving a non-violent offense, as determined by DOC;
 - e.) Have an approved program/residence; and
 - f.) Have access to a landline or internet access with a camera-capable device at the release address.

2. Exclusionary criteria

Applicants are excluded from participation for the following:

- a) Currently serving a discipline sentence in restrictive housing that is not for refusing placement in general population;
- b) Other court or criminal-justice obligations
 - (1) Have a detainer, warrant, or pending felony from another jurisdiction;
 - (2) Have a current sentence from a state other than Minnesota or a federal jurisdiction;
 - (3) Serving a sentence for driving while intoxicated (DWI) and has not completed chemical dependency treatment while incarcerated (per statute);
 - (4) Serving a sentence authorized by a statute that precludes early release; or
 - (5) Have an approved plan for interstate supervision;
- c) Other exclusionary criteria
Applicants will not be accepted into the program if they:
 - (1) Have an approved agent assignment to Intensive Supervised Release (ISR): or
 - (2) Require predatory offender registration and/or end-of-confinement review committee (ECRC) approval.

C. Procedures for approving participation

1. Eligibility Screening

DOC planning and performance staff provide a pre-screened list of eligible participants to the facilities reentry manager monthly. The facility reentry manager screens each potential participant's electronic file to further determine program eligibility.

2. The facilities reentry manager provides each facility designee the list of pre-approved participants. The assigned caseworker expedites the release of each eligible participant based upon the criteria above and a projected program release date.

3. Notification and Application

The caseworker provides a C19EWRP Application (attached) and program information to the eligible individual. Interested, eligible individuals must complete the application and return it to the caseworker. The caseworker then scans the completed applications to the work release director. The caseworker also scans the application to the facility transition coordinator to assist in identifying resources for release.

4. Program Approval or Denial

The work release director or designee reviews all completed applications and approves or denies participation. Work release staff provide a response letter for

acceptance or denial to the applicant, caseworker, facility records staff, and the supervised release agent of record. The scanned application is kept in the applicant's electronic file via work release.

5. **Supervision Assignment for Approvals**
If approving the application, the work release director assigns supervision staff to provide community supervision for the participant. The director also provides the information to the caseworker, to be added to the reporting instructions.
 6. **Program review team approval**
Once the application is approved, the caseworker prepares a Work Release Program Review Team (PRT) report. The PRT approves the C19EWRP release plan in the correctional operations management system (COMS).
 7. **Authorization of C19EWRP release status**
After the PRT approval, the caseworker then submits the proposed placement and conditions of release to the Hearing and Release Unit (HRU) for authorization. Once HRU staff have approved, the release approval is complete.
 8. **Electronic Surveillance**
Participants are subject to electronic surveillance. This may include, but is not limited to:
 - a) Scheduled telephone meetings;
 - b) Internet communication with facial recognition; and
 - c) GPS tracking and residential verification.
 9. **Work Release Notification**
If any victim notifications are applicable, they must be made in accordance with [Policy 203.260, "Victim Notification."](#)
 10. **Termination from C19EWRP**
The work release director may rescind a participant's release status at any time if new information is discovered that makes the participant ineligible. Such information includes criminal court or records information.
 11. **Records of application**
Work release unit staff, caseworkers, and sentence administration unit staff retain signed applications, conditions of release, and program completion or termination reports in participants' electronic files; and PRT reports, case notes, discipline records, and custody status and sentence administration information in ODocS.
- D. **Rules for participants on C19EWRP status**
1. All participants on C19EWRP status must:
 - a) Continually reside in an approved program/residence on house arrest; The assigned supervision staff must approve all movement outside of the home;

- b) Fully participate in and successfully complete the program;
 - c) Obey all the rules and regulations of the approved program/residence in which they reside; and
 - d) Obey all the rules included in their individual release agreement.
2. Consequences for rule violations
- a) Participants who violate any of the rules of their supervision are subject to:
 - b) Having the rules of their supervision restructured and additional rules imposed;
 - c) Revocation of their release status;
 - d) Imposition of extended incarceration time under the Offender Discipline Rules; and
 - e) Prosecution for escape under Minn. Stat. § 609.485.

INTERNAL CONTROLS:

- A. The PRT approves the C19EWRP release plan in the correctional operations management system (COMS)
- B. The signed release application approvals or denials, release agreements, release conditions, and program completion and termination reports are retained in the participant's electronic file.
- C. Case notes, PRT reports, discipline records, custody status, and sentence administration information are stored and retained in ODocS.

ACA STANDARDS: 4-4463

REFERENCES: Minn. Stat. §§ [241.26](#); [244.065](#); [609.485](#);
[Policy 106.112, "Approval and Modification of Release Plans"](#)
[Policy 303.010, "Offender Discipline"](#)
[Policy 203.260, "Victim Notification"](#)

REPLACES: Policy 205.122, "COVID-19 Expanded Work Release Program," 7/7/20.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: [C19EWRP Application](#) (205.122A (English))
[C19EWRP Application](#) (205.122A (Spanish))

APPROVALS:

Deputy Commissioner, Community Services
Deputy Commissioner, Facility Services
Assistant Commissioner, Operations Support
Assistant Commissioner, Criminal Justice Policy, Research, and Performance