Minnesota Department of Corrections

Policy:	**205.300**	**Title: Placement of Release Violators**
Issue Date:	**12/2/14**	
Effective Date:	**1/6/15**	

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

PURPOSE: To establish procedure for the placement of release violators.

APPLICABILITY: Minnesota Department of Corrections (DOC); department-wide

POLICY: The department determines the placement of release violators. Placement may include a department correctional facility or Minnesota county jail under joint powers agreement with the department. The placement determination is based upon the department's evaluation of program and security needs, and county of commitment resources.

DEFINITIONS:
Release violator (RV) – an adult offender who violates the conditions of his/her release and release is revoked as detailed in Policy 106.140, "Evidentiary Hearings."

PROCEDURES:

A. The department's release violator placement coordinator/designee must obtain the weekly schedule of revocation hearings compiled by the hearings and release unit (HRU). Prior to the hearings, the coordinator must:

1. Review available documentation and correctional operations management system (COMS) data for each offender on the list, including such examples as:
   a) Current and past release violation and restructure reports;
   b) Criminal history;
   c) Pre-sentence investigation;
   d) Initial case summaries, annual review, and reentry review;
   e) Facility discipline records;
   f) Classification information;
   g) Sentencing information;
   h) Current arrest report and jail notes; and
   i) Offenders with a single cell restriction.

2. Consult with appropriate staff (e.g., behavioral and health services) to identify whether placement outside a department facility is inappropriate. Examples of offenders not appropriate for housing outside a department facility include such examples as:
   a) Those with a sex offense as defined by Policy 205.200, "Sex Offender Civil Commitment Screening;"
   b) Those with a treatment assessment assigned by the HRU officer;
   c) An offender diagnosed with serious and persistent mental illness (SPMI) requiring significant community service provision as determined by the department behavioral health services staff and as defined in Policy 500.302, "Mental Health Continuity of Care;"
   d) Transgender/intersex offenders;
   e) Those assigned a mental health assessment by the HRU officer;

f) Those with medical/mental health needs beyond agreed provisions in the joint powers agreement with the local jail; and

g) An offender with a single cell restriction. The department release violator placement coordinator must notify the receiving facility when an offender has a single cell restriction, to determine whether the single cell restriction can be accommodated at the receiving facility (see Division Directive 202.105, "Multiple Occupancy Cell/Room Assignment").

3. Review bed space availability and contract arrangements with correctional facilities and jail sites.

4. Make final recommendation to the director of transfers and classification/designee. The director of transfers and classification makes the placement determination.

5. Notify the warrants unit where each revoked RV is to be transported.

B. After the hearings, HRU staff notify the warrants unit. The warrants unit notifies the department release violator placement coordinator/designee of revocation hearing decisions resulting in the revocation of release.

C. Upon notification of those offenders who were revoked, the department release violator placement coordinator/designee must:

1. Inform the department transportation unit of the RV's placement location.

2. Notify the department records unit of the RV's placement location for distribution of the files and management of the offender case records.

3. Establish a method of placement review and may redirect offender placement as appropriate.

D. The department's HRU hearing list is retained by the department release violator placement coordinator according to the record retention schedule.

INTERNAL CONTROLS:

A. Offender data is retained electronically in COMS.

REVIEW: Annually

REFERENCES: Policy 106.140, "Evidentiary Hearings"
Policy 205.200, "Sex Offender Civil Commitment Screening"
Policy 500.302, "Mental Health Continuity of Care"
Division Directive 202.105, "Multiple Occupancy Cell/Room Assignment"
Minn. Stat. §245.462

SUPERSESSION: Policy 205.300, "Placement of Release Violators," 1/21/14.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: None

/s/
Deputy Commissioner, Community Services

Deputy Commissioner, Facility Services