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<b>Policy:</b>	<b>202.120</b>
<b>Title:</b>	<b><del>Offender-Incompatibility</del> <u>Review Process</u></b>
<b>Effective Date:</b>	<b><del>8/15/17</del> <u>12/10/24</u></b>

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**PURPOSE:** To ~~provide~~establish a consistent, centralized ~~offender~~-incompatibility system to review issues of incompatibility between ~~incarcerated people~~offenders, and enhance the security and safety ~~of offenders and staff~~ at all adult facilities.

**APPLICABILITY:** Minnesota Department of Corrections (DOC) adult facilities

**DEFINITIONS:**

**Active incompatibility** – ~~a designation when~~ documenteds in the incompatibility module of the correctional operations management system (COMS) indicatinging that two ~~incarcerated people~~offenders need to be separated.

**Inactive incompatibility** – ~~a designation documented in the incompatibility module of the correctional operation management system (COMS) indicating that when the issues requiring the two incarcerated people~~offenders no longer need to be separated~~no longer exist~~.

**Incompatibility review** – a ~~review completed by the facility incompatibility committee~~designation when there is compelling evidence ~~that indicat~~ings there is a risk of serious bodily injury ~~to an offender, if two incarcerated people are~~the offender is not kept~~physically separated from another offender~~.

**Incompatibility reviewer ~~(IR)~~** – person assigned ~~by the DOC~~ to make a final decisions regarding incompatibilities from supporting documentation collected and submitted following review~~sent~~ by the facility's ~~ies~~ incompatibility review committee.

**PROCEDURES:**

- A. Determining/Reviewing ~~Offender~~-Incompatibility
1. Any staff may initiate the incompatibility review process by writing an incident report and forwarding it to the facility incompatibility review committee. Lieutenants, case workers managers, or other designated staff must complete incompatibility investigations.
  2. Each warden must establish a facility incompatibility review committee~~to review offender incompatibilities~~. The committee must have a chair and clerical support with membership and/or input from case management, security, and the office of special investigations (OSI).
  3. Within seven business days of receiving an incident report, the committee must conduct a review~~each issue of incompatibility~~. Upon receipt of all supporting documentation, the committee must recommend whether an incompatibility should be assigned.
    - a) Agendas are sent out to committee members in advance. Agendas with dispositionss assigned are retained by the committee chair at the facility.

b) If there is not enough information to make a decision, additional information is requested and the case is re-scheduled for the next meeting.

c) The committee reviews issues including such examples as criminal victimization, familial relationships, extortion, serious assault, and witness testimony.

4. If the committee recommends assigning an incompatibility, the supporting documentation must be entered into the incompatibility module in COMS by the person the committee designates.

5. ~~The electronically forwarded to the~~ incompatibility reviewer (IR), ~~with a copy to all the committee chairs at the facilities. The IR~~ must review the committee's recommendation, and make a final determination whether to assign an incompatibility. The incompatibility reviewer must:

a) Document the final decision in the incompatibility module of COMS, and electronically notify the committee within three business days.

b) ~~The IR must~~ Ensure that incompatibilities are assigned consistently across facilities. ~~The facility must add the incompatibility to the incompatibility list in COMS. Incompatibility lists are confidential.~~

65. Facility staff may need to initiate placement changes once an active incompatibility is assigned ~~As directed by the IR, necessary offender placements are completed.~~

76. The case ~~worker-manager~~ must review ~~offender~~ incompatibilities with incarcerated people ~~the offender~~ during annual reviews.

a) ~~The case worker-manager~~ must forward information from the annual review to the facility incompatibility review committee.

b) The facility incompatibility committee, who must review the information and document recommended actions in the incompatibility module in COMS ~~taken~~

c) The incompatibility reviewer must review. The facility incompatibility committee must forward any changes recommended ~~ation to incompatibility designations and document decisions in the incompatibility module in COMS~~ ~~inactivate an assigned incompatibility to the IR for approval, with a copy to all the committee chairs at the facilities. When review is complete, all supporting documentation is uploaded to the electronic offender file.~~

#### B. Addressing ~~Offender~~ Concerns of Incarcerated People

1. Incarcerated people ~~Offenders~~ must immediately inform staff of potential threats to their safety. Incarcerated people ~~Offenders~~ are required to cooperate with staff in the investigation and resolution of ~~the offender's~~ concerns by, ~~including the providing of~~ names and all other relevant information concerning the source of the threat.

2. When investigating ~~offender~~ concerns, ~~the~~ options that may be considered include such examples as:

a) Allowing the incarcerated person ~~offender~~ to remain in their ~~his/her~~ present living unit, including a possible transfer to another cell/room within that unit;

b) Transferring the incarcerated person ~~offender~~ to another living unit;

- c) Temporarily placing the ~~incarcerated person~~~~offender~~ on administrative segregation status;
- d) Transferring the ~~incarcerated person~~~~offender~~ to another department facility; and
- e) Transferring the ~~incarcerated person~~~~offender~~ to a non-department facility.

C. Maintaining Incompatibility Assignments

1. Each facility incompatibility review committee must update and maintain ~~the~~ incompatibility assignments ~~recommendations of the offenders~~ in the incompatibility module of COMS.
2. The incompatibility reviewer must document all decisions in the incompatibility module of COMS.
3. Incompatibility determinations on individuals currently in DOC custody are confidential.

**INTERNAL CONTROLS:**

- A. Supporting documentation of incompatibility assignments are retained in the electronic ~~base~~~~offender~~ file and linked to the incompatibility module of COMS.
- B. The department incompatibility ~~list~~data is maintained in the incompatibility module of COMS.

~~ACA STANDARDS: 4-4251, 4-4273, 4-4281~~

**REFERENCES:** ~~Minn. Stat. §241.01, subd. 3a (a) (b)~~None

**REPLACES:** ~~Policy~~~~Division Directive~~ 202.120, "Offender Incompatibility," 5/17/168/15/17.  
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

**ATTACHMENTS:** None

**APPROVALS:**

~~Deputy Commissioner of Corrections, Facility Services~~  
~~Deputy Commissioner, Community Services~~  
~~Assistant Commissioner, Facility Services~~  
~~Assistant Commissioner, Operations Support~~