



# Agent Assignment and Release Planning Policy 203.018

# Training Objectives

- Review policy 203.018
- Increased understanding of the philosophy and process for agent assignment and release planning
- Review key changes
- Opportunity to practice

# Focus of the Policy

- Assigns agency responsible for investigating a proposed residence or to assist in release planning efforts
- Not to be confused with the Intrastate policy
- Pertains to offenders being released from Minnesota Correctional Facility and under Supervised Release, ISR, CIP and CRP supervision

# Key Principles

- Provide a release plan that offers the offender the best chance of success
- Releasing an offender to an area that has recent historical context is better than county of commit with no connection to the community
- Providing residency option is better than having the offender released homeless
- Focus on collaboration between agencies rather than interests of an individual agency
- Acting under a spirit of acceptance rather than denial; not looking for reasons to deny

# Key Principles (Continued)

- Stresses communication and interaction between agents and caseworkers
- Treating offenders as you would in your own county
- Policy reflects a Restorative Justice framework
  - What is best for Public Safety
  - Assists in offender change
  - Attention to victims

# Agent Assignment and County of Supervision Determination

# Proposed Residence

- 90 calendar days before an offender's release on standard supervised release
- 120 calendar days before release on intensive supervised release (ISR)
- The caseworker meets with the offender to determine residency options and verifies the address and availability
- Proposed residence – a specific residence proposed by an offender and verified by a caseworker or supervision agent as **available and suitable**. Motels, hotels, homeless shelters, transitional housing, treatment facilities that provide temporary housing, and DOC-leased ISR housing outside an offender's county of historical ties or county of commitment do not qualify as proposed residences for purposes of this policy. **A permanent therapeutic setting may qualify as a proposed residence**

# What is Available and Suitable?

- No ideal option may exist
- If available and suitable-acceptance is presumptive
  - **Available**-willing or able to have the offender reside there
  - **Suitable**-habitable, consider access to a victim or victim pool, or addresses offender's disabling condition.



# If The Offender Does Not Have A Proposed Residence....

**In this order....Agency defined to assist the offender in releasing planning efforts.**

- County of historical ties – the county in which the offender has a recent history prior to commitment, **as indicated by residing or being employed predominantly within that county for six months**. Stays in homeless shelters, motels, hotels, treatment facilities, and transitional housing (e.g., halfway houses, DOC-leased intensive supervised release (ISR) housing, and emergency housing) are not considered historical ties. In determining the county of historical ties, recent addresses are given more weight than the area where the offender was raised
- County of Commitment– the county in which the offender was convicted and sentenced for a crime that required commitment to the DOC

# The Offender is Released to CD or Sex Offender Treatment

- Not considered a proposed residence
- Agency responsible for supervision follows the same order-Proposed Residence, Historical Ties or County of Commit
- If the offender is committed to a DOC facility for an offense that occurred while residing in a treatment setting for less than six months, or in a DOC prison facility, supervision and release planning responsibility reverts to the county of commitment or county of historical ties for the original offense

# Meets ISR Criteria and Search Parameters?

- Case managers consider mandatory or discretionary for ISR
- Once determined, follow agent assignment request process in this order- Proposed Residence, Historical Ties, then County of Commitment
- Caseworker and assigned field agent assist the offender in locating an available and suitable residence both within and outside the county of historical ties or county of commitment
- Caseworker and/or assigned field agent must investigate all residential placements proposed by an ISR offender, regardless of whether those placements are within the county of commitment or county of historical ties



# Requests for Agent Assignment

# What is sent for the Agent Assignment Request

- Caseworker provides descriptive rationale in the release plan supporting the Agent Assignment Request.
- The offender's overall adjustment during incarceration
- Programming attempts and completions
- Risk Level, Case Plan Progress,
- ISR, POR, Financial, Discipline
- Transportation
- Options investigated-Past Agent Assignment Request Rejections

# Responses to Agent Assignment Requests

# Investigating Timeframes

- Within 15 calendar days of receiving a request for agent assignment, the supervisor of the receiving county or agency must assign an agent to investigate the proposed release plan
- Investigating agent must respond to the request for agent assignment within 30 calendar days of receipt, or within one-third of the time remaining before the offender's projected release, whichever is less
- Level III sex offenders must be given top priority and promptly investigated
- If the proposed residence is a permanent therapeutic setting, the agency has five calendar days to respond to the request for supervision

# Remember Key Principles...

- No ideal placement option may exist
- Providing a residency option is better than having the offender released homeless
- Acting under a spirit of acceptance rather than denial; not looking for reasons to deny



# If denying

- The response must indicate why the proposed residence was not available or suitable based on the principles outlined in this policy
- The proposed residence may not be rejected solely for being outside the county of commitment or the lack of historical ties
- If the rejection cites a concentration of level III sex offenders per Minn. Stat. § 244.052, subd. 4a(a), the agent's response must include an explanation of the concentration and the basis for determining that concentration
- If the reason for rejection is a local residency restriction on sex offenders, the agent must provide documentation of the residency restriction and why it covers the proposed residence

# Supervision Resolution

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- Helps clarify the policy
- Caseworkers and agents must attempt to informally resolve disputes by referring to the principles and procedures identified in this policy
- If a dispute cannot be resolved informally, the caseworker must refer the matter to the caseworker's corrections program director
- the DOC transition manager must, absent good cause, forward the request for reconsideration and the county's written response to the DOC's deputy commissioner of community services for final resolution
- The deputy commissioner or designee makes the final decision regarding the suitability of a proposed residence and the agency responsible for supervision

# Expedited Resolution

- If a permanent therapeutic setting treatment bed is available that exclusively meets the offender's needs, disputes over the proposed release plan and supervision responsibility must be expedited
- The caseworker and health services release planner must submit a memorandum to the deputy commissioner of community services

# Scenarios

Thank you!