

CHAPTER 2905
DEPARTMENT OF CORRECTIONS
COMMUNITY CORRECTIONS ACT

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2905.0100 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of this chapter the following terms have the meanings given them.

Subp. 2. **Act.** "Act" means the Community Corrections Act, Minnesota Statutes, chapter 401.

Subp. 3. **Commissioner.** "Commissioner" means the commissioner of corrections or a designee.

Subp. 4. **Community corrections system.** "Community corrections system" means the organizational structure or network which exists or is proposed to exist within the county which will enable the local criminal justice system and other elements of the community to utilize the correctional programs and services outlined in the comprehensive plan.

Subp. 5. **Comprehensive plan.** "Comprehensive plan" means the working document developed by the local corrections advisory board and approved by the county board or boards or joint board for the implementation and operation of community based correctional programs pursuant to Minnesota Statutes, section 401.01, subdivision 1.

Subp. 6. **Participating county.** "Participating county" means one or more contiguous counties subject to the provisions of Minnesota Statutes, section 401.01, subdivision 1, which has been designated by the commissioner to receive funds under Minnesota Statutes, sections 401.01 to 401.16, through the approval of the comprehensive plan.

Subp. 7. **Planning county.** "Planning county" means one or more contiguous counties subject to the provisions of Minnesota Statutes, section 401.02, subdivisions 1 and 2, which has established a local corrections advisory board for the purpose of developing a comprehensive plan.

Subp. 8. **Unit of service.** "Unit of service" means each project, program, or activity outlined in the comprehensive plan including, but not limited to, probation services, parole services, supervised release services, court service activities, jail programs, evaluation services, training programs, and residential programs.

Statutory Authority: *MS s 401.03*

History: *8 SR 601; 17 SR 1279*

2905.0200 INTRODUCTION.

Subpart 1. **Authority.** Minnesota Statutes, section 401.03 provides that the commissioner of corrections promulgate rules for the implementation of Minnesota Statutes, sections 401.01 to 401.16. This chapter is intended to meet that requirement.

Subp. 2. **Purpose.** The purpose of this chapter is to provide a framework within which services will be delivered and coordinated in the various areas of the state where the Community Corrections Act is operational.

Subp. 3. **Responsibility for planning.** The Community Corrections Act places responsibility for correctional planning and implementation at the local level of government.

This chapter is intended to ensure that the various planning efforts are compatible with one another and with the basic requirements of the state's correctional system.

Statutory Authority: *MS s 401.03*

History: *8 SR 601*

2905.0300 APPLICATION FOR PARTICIPATION.

Subpart 1. **Application.** Application for participation by a county or group of counties pursuant to Minnesota Statutes, section 401.02, subdivision 1, shall consist of a resolution of intent to participate under the provisions of the Community Corrections Act, provided subsidy funds are available.

Subp. 2. **Approval.** Approval of the application by the commissioner shall designate the county as a planning county pursuant to Minnesota Statutes, section 401.02, subdivision 2, and shall establish that calendar year as the basis for determining the current level of spending referred to in Minnesota Statutes, section 401.12.

Statutory Authority: *MS s 401.03*

History: *8 SR 601*

2905.0400 DEVELOPMENT OF COMPREHENSIVE PLAN.

Subpart 1. **Technical assistance.** The commissioner shall ensure that the local units of government are provided with technical assistance from the Minnesota Department of Corrections in the development of a comprehensive plan.

Subp. 2. **Submittal of plan.** The comprehensive plan must be submitted to the commissioner:

A. 30 days prior to initial participation under the provisions of the Community Corrections Act; and

B. 30 days prior to the beginning of each subsequent calendar year in a format designated by the commissioner.

Subp. 3. **Long format.** At the time of initial participation under the provisions of the Community Corrections Act and every fourth year after that, the comprehensive plan must be in a long format.

Subp. 4. **Short format.** For each year not requiring the long format, the comprehensive plan must be in a short format.

Subp. 5. **Format forms.** Both short and long forms shall be provided by the commissioner.

Statutory Authority: *MS s 401.03*

History: *8 SR 601*

2905.0500 CHANGES IN COMPREHENSIVE PLAN AND BUDGET.

Subpart 1. **General requirement.** When participating counties wish to change the comprehensive plan during the calendar year, it shall be done by amendment, reallocation, or transfer.

Subp. 2. **Amendment.** Amendments will be required when new units of service are added to or existing units are deleted from a comprehensive plan during a calendar year. Amendments will be processed in the same manner, and will require the same approvals as the comprehensive plan submitted for each calendar year.

Subp. 3. **Reallocation.** Reallocation will be required when a community corrections system shifts funds between identified units of service, and the funds exceed ten percent of the approved budget for either unit of service, and also exceed \$5,000. The ten percent will apply to individual reallocations and to cumulative shifts during a calendar year. Reallocation will require the advance approval of the administrator of the community corrections system, the Corrections Advisory Board, and the commissioner.

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Subp. 4. **Transfer.** Transfer of funds not constituting reallocation as specified in subpart 3, require the advance approval of the administrator of the community corrections system, and are to be reported to the commissioner at the end of the calendar quarter on forms provided by the commissioner.

Statutory Authority: *MS s 401.03*

History: *8 SR 601*

2905.0600 INFORMATION SYSTEMS AND EVALUATION.

Subpart 1. **Information system.** Each community corrections system must develop and implement an information system which is in compliance with applicable security and privacy regulations; and must annually provide data requested by the commissioner.

Subp. 2. **Evaluation and research designs.** Each community corrections system shall develop and implement evaluation designs and research designs.

Statutory Authority: *MS s 401.03*

History: *8 SR 601*

2905.0700 TRAINING AND EDUCATION.

Subpart 1. **Training.** Each county or group of counties participating in the act shall implement training programs necessary to meet the needs of line staff, administrative staff, the local corrections advisory board, major components of the local criminal justice system, and the community at large.

Subp. 2. **Subsidy.** A sum no less than the equivalent of two percent of the total subsidy shall be used to develop and implement training and educational programs.

Statutory Authority: *MS s 401.03*

History: *8 SR 601*

2905.0800 FISCAL MANAGEMENT.

A community corrections system shall designate one person for the supervision of all fiscal matters related to the subsidy received under the provisions of Minnesota Statutes, sections 401.01 to 401.16. This person shall comply with state and county rules governing the management of county funds and shall provide information to the Corrections Advisory Board and the commissioner at least quarterly on forms provided by the commissioner.

Statutory Authority: *MS s 401.03*

History: *8 SR 601*

2905.0900 COUNTY ASSUMPTION OF STATE PROBATION, PAROLE, AND SUPERVISED RELEASE CASES.

Subpart 1. **Service.** Each county participating under the act shall provide service to all interstate and intrastate probation, parole, and supervised release clients.

Subp. 2. **Training.** The commissioner shall provide necessary orientation training for counties to assume probation, parole, and supervised release services previously provided by the state.

Subp. 3. **Forms.** The commissioner shall provide forms for a county's compliance with subpart 2.

Statutory Authority: *MS s 401.03*

History: *8 SR 601*

2905.1000 USE OF EXISTING COMMUNITY RESOURCES.

Subpart 1. **Local resources.** Each community corrections system shall utilize agencies and organizations established in the community to deliver medical and mental health care, education, counseling and rehabilitative services, employment services, and other similar