

2940.0100 DEFINITIONS.

Subpart 1. **Scope.** As used in this chapter, the following terms have the meanings given them in this part.

Subp. 2. **Availability.** "Availability" means the date on which the offender has made bail, bond, or has been released on personal recognizance or no bail required; or completed any local incarceration time which results from a misdemeanor, gross misdemeanor, or felony stayed sentence.

Subp. 3. **Board of Pardons.** "Board of Pardons" means the Board of Pardons established by Minnesota Statutes, chapter 638.

Subp. 4. **Bookslip.** "Bookslip" means the form issued by the central office records clerk which designates the agent of record.

Subp. 5. **Case management.** "Case management" means the total system employed in the management of an inmate's case, including but not limited to the development of needs assessments and program plans; conducting progress and reentry reviews; and developing recommendations for conditions of release.

Subp. 6. **Commissioner.** "Commissioner" means the commissioner of corrections.

Subp. 7. **District supervisor.** "District supervisor" means a Department of Corrections field supervisor.

Subp. 8. **Executive officer of hearings and release.** "Executive officer of hearings and release" means the person to whom the commissioner of corrections has delegated the authority for granting parole and work release; for revoking parole, work release, and supervised release; and for granting discharge from an indeterminate sentence.

Subp. 9. **Expiration of the determinate sentence.** "Expiration of the determinate sentence" means the date on which the maximum sentence pronounced by the court occurs.

Subp. 10. **Expiration of the indeterminate sentence.** "Expiration of the indeterminate sentence" means the date on which the maximum sentence pronounced by the court less good time reduction occurs.

Subp. 11. [Repealed, 23 SR 808]

Subp. 12. **Guidelines.** "Guidelines" mean a sentence under Minnesota sentencing guidelines.

Subp. 13. **Inmate.** "Inmate" means a person committed to the jurisdiction of the commissioner who is imprisoned in a correctional facility or other place designated by the commissioner.

Subp. 14. **Institution caseworker.** "Institution caseworker" means the institution's staff person assigned the responsibility of coordinating the development of needs

assessment, program plans, progress review, and reentry reviews for those inmates assigned to their caseloads.

Subp. 15. [Repealed, 23 SR 808]

Subp. 16. **Near the site.** "Near the site" means a place not to exceed 50 miles from the site of the alleged violation.

Subp. 17. **Parole.** "Parole" means that portion of an indeterminate sentence served by an inmate in the community under supervision and subject to prescribed rules.

Subp. 18. **Probable cause.** "Probable cause" means a finding by a court in an omnibus hearing or by a hearing officer in a probable cause hearing.

Subp. 19. **Probable cause hearing.** "Probable cause hearing" means a hearing held to determine if there are reasonable grounds for belief that one or more conditions of release may have been violated.

Subp. 20. **Program review team.** "Program review team" means a group of Department of Corrections employees in a correctional facility whose assigned function is to develop needs assessments and program plans and to conduct progress reviews for those inmates assigned to them.

Subp. 21. **Projected release date.** "Projected release date" means a date in the future at which an inmate will be released providing the inmate's behavior is satisfactory, the release date was based on complete and accurate information, and the inmate is not considered to be a risk to the public at the time of release.

Subp. 22. **Projected release plan.** "Projected release plan" means a proposed plan for an inmate when released to the community, including a place of residence and employment as well as any special or standard conditions which may be imposed at the time of release.

Subp. 23. **Public interest.** "Public interest" means the interest the public has in maintaining the integrity of legal sanctions and the rights of citizens.

Subp. 24. **Public safety.** "Public safety" means the protection of the public from injury, danger, and violence.

Subp. 25. **Reentry review.** "Reentry review" means the review which is held in order to establish conditions of release.

Subp. 26. **Releasee.** "Releasee" means a person on parole, work release, or supervised release status from a correctional facility who is under sentence to the commissioner.

Subp. 27. **Residential community program.** "Residential community program" means a structured residential program in the community such as a halfway house, chemical dependency treatment center, or another treatment program designed to change the behavior of residents and to protect the public.

Subp. 28. **Revocation hearing.** "Revocation hearing" means a hearing held for the purpose of determining whether cause exists for the revocation of parole, work release, or supervised release and for determining whether parole, work release, or supervised release should be revoked and for setting the term of reimprisonment to be served by the violator.

Subp. 29. **Risk to the public.** "Risk to the public" means the degree to which an individual is likely to cause injury, damage, loss, pain, or peril to the public or to engage in unlawful sexual behavior involving a victim.

Subp. 30. [Repealed, 23 SR 808]

Subp. 31. **Supervised release.** "Supervised release" means that portion of a determinate sentence served by an inmate in the community under supervision and subject to prescribed rules, adopted in accordance with Minnesota Statutes, section 244.05.

Subp. 32. **Supervising agent.** "Supervising agent" means the parole and probation agent who is assigned to the individual on parole, work release, or supervised release status.

Subp. 33. **Working days.** "Working days" means all working days exclusive of legal holidays and weekends.

Subp. 34. **Work release.** "Work release" means an extension of confinement in which inmates are conditionally released to work at gainful employment, seek employment, or participate in vocational or educational training in the community while serving their sentence in accordance with Minnesota Statutes, section 241.26.

Statutory Authority: *MS s 14.388; 241.26; 243.05*

History: *L 1983 c 274 s 18; 8 SR 2298; 23 SR 808*

Published Electronically: *November 9, 2004*