Hearings and Release Dispositional Guide

Offenders differ as to their current offense, criminal history, release history, violation circumstances and adjustment to supervision. Dispositional factors allow the hearing officer to impose sanctions inclusive of a restructure to reimprisonment of 179 days or fewer. If a hearing officer imposes reimprisonment of **180 days** or more, disposition must include a determination of risk to the public or unamenable to supervision per promulgated rules.

Hearing officers have the authority to impose institutional treatment directives for sex offender and chemical dependency programming if deemed appropriate. This determination will be based on whether the current violation behavior poses a significant public safety risk or the offender's need can only be addressed through institutional programming due to a lack of community-based programming.

1. MnSTARR assessment
2. Highest severity condition violated
3. Unsuccessful restructure on current release period
4. Absconded from community supervision
5. Current behavior compromised agent's safety
6. Contact with minor, vulnerable adult, or victim that was intentional or purposeful
7. Multiple violations found on current Notice of Violation (NOV)
    a. 2 to 3 violations found
    b. 4 or more violations found
8. Committed violation(s) within 3 months of release or restructure
9. Committed violation(s) consistent with prior criminal behavior, prior release violations, or prior probation violations
    a. Prior criminal behavior
    b. Prior release violation behavior
    c. Prior probation violation behavior
10. Alternative programming available to the offender in the community
11. Verified stable residence
12. Verified stable employment or education
13. Community/social support systems available
14. Significant amount of local time served
    a. 90 days or less
    b. 90 to 179 days
    c. 180 days or more

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