

Subject Minnesota Rehabilitation and Reinvestment Act

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Overview

This bill establishes the Minnesota Rehabilitation and Reinvestment Act which is designed to reduce the length of incarceration for offenders who demonstrate their rehabilitation.

Summary

Section	Description
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| 1 | <p>Rehabilitation programs.</p> <p>Expands required rehabilitation programming that the commissioner must provide inmates to include substance abuse treatment programs; sexual offender treatment programming; medical and mental health services; and vocational, employment and career, educational, and other rehabilitative programs.</p> |
| 2 | <p>Rehabilitative need assessment and individualized program plan required.</p> <p>Para. (a). Directs the commissioner to develop a comprehensive needs assessment for those with 365 days or more remaining on their fixed sentence after January 1, 2024.</p> <p>Para. (b). Requires an individualized program plan with goals for every person committed to the authority of the DOC.</p> <p>Para. (c). Provides for victim input if the inmate's crime resulted in harm against a person.</p> <p>Para. (d). Requires the commissioner to consider victim input in program planning and conditions of confinement or release.</p> <p>Para. (e). Requires the commissioner to develop a transition and release plan in consultation with the incarcerated person for those with less than 365 days of term of imprisonment.</p> |

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3	<p>Earned incentive release.</p> <p>Para. (a). Defines earned incentive release (EIR).</p> <p>Para. (b). Requires the commissioner to create a policy for accruing EIR and forfeiture of EIR.</p> <p>Para. (c). Requires the commissioner to develop a policy for addressing systemic and programmatic gender and racial disparities in EIR.</p>
4	<p>Application of earned incentive release credit.</p> <p>Para. (a). Establishes that EIR credits are subtracted from an offender’s term of imprisonment and not added to the supervised release term. Establishes the maximum amount of EIR at 17 percent of the term of imprisonment except that the term of imprisonment may not be less than 50 percent of the executed sentence.</p> <p>Para. (b). Establishes EIR as distinct from other legislatively authorized release programs.</p>
5	<p>Certain offenses ineligible for EIR credit.</p> <p>Excludes certain offenders from participating in EIR.</p>
6	<p>Supervised release.</p> <p>Para. (a). Permits an offender’s supervised release term to be reduced by any EIR credit.</p> <p>Para. (b). Replaces the term “segregation” with “restrictive housing.”</p>
7	<p>Earned compliance credit and supervision abatement status.</p> <p>Para. (a). Defines “supervision abatement status” and “earned compliance credit” for purposes of this section.</p> <p>Para. (b). Mandates the commissioner to create a policy for earning compliance credits and forfeiture of the credit, requiring that once a combination of time served, EIR, and supervision term plus compliance credits equal the supervised release term, the person is placed on abatement status.</p> <p>Para. (c). Establishes the commissioner’s disciplinary options when an offender on supervision abatement status is charged with a new presumptive felony-level crime against a person.</p> <p>Para. (d). Provides when an offender is on supervision abatement status, the offender will not be required to report to a supervision agent or pay supervision fees,</p>

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	but must report any new criminal charges and seek written authorization to relocate to another state.
	Para. (e). Prohibits individuals serving life sentences, given indeterminate sentences for crimes committed on or before April 30, 1980, or subject to good time from earning compliance credit or being placed on supervision abatement status.
8	Victim input. Requires the commissioner to attempt to notify the victim of an offender's EIR eligibility and request victim input on the offender's EIR eligibility.
9	Victim notification. Declares that EIR participation does not absolve the commissioner of fulfilling any other statutory victim notification requirements.
10	Interstate compact. Authorizes individuals serving Minnesota sentences in other states under the Interstate Compact for Adult Offender Supervision to be eligible for supervision abatement status.
11	Reallocation of EIR savings. Subd. 1. Definitions. Defines terms used in this section. Subd. 2. Establishment of reallocation of revenue account. Establishes the reallocation revenue account. Subd. 3. Certification of EIR savings. Requires MMB to certify any savings from EIR in the prior fiscal year. Subd. 4. Savings to be transferred to the reallocation revenue account. Requires EIR savings to be transferred to the reallocation revenue account. Subd. 5. Distribution of reallocation funds. Provides how the savings resulting from EIR (based on reduction in incarcerated days), shall be distributed.
12	Reporting required. Requires the commissioner to report annually to the legislature on the EIR program. Requires the commissioner to include feedback on the EIR program from victim coalitions in the annual report to the legislature. Requires the commissioner to conduct regular evaluations of EIR program and publish findings on the agency's website and in annual report to the legislature.

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13	Effective date. Establishes August 1, 2023, as the effective date for this act.



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