

**244.43 EARNED INCENTIVE RELEASE CREDIT.**

Subdivision 1. **Policy for earned incentive release credit; stakeholder consultation.** (a) To encourage and support rehabilitation when consistent with the public interest and public safety, the commissioner must establish a policy providing for earned incentive release credit as a part of the term of imprisonment. The policy must be established in consultation with the following organizations:

- (1) Minnesota County Attorneys Association;
- (2) Minnesota Board of Public Defense;
- (3) Minnesota Association of Community Corrections Act Counties;
- (4) Minnesota Indian Women's Sexual Assault Coalition;
- (5) Violence Free Minnesota;
- (6) Minnesota Coalition Against Sexual Assault;
- (7) Minnesota Alliance on Crime;
- (8) Minnesota Sheriffs' Association;
- (9) Minnesota Chiefs of Police Association;
- (10) Minnesota Police and Peace Officers Association; and
- (11) faith-based organizations that reflect the demographics of the incarcerated population.

(b) The policy must:

(1) provide circumstances upon which an incarcerated person may receive earned incentive release credits, including participation in rehabilitative programming under section 244.03; and

(2) address circumstances where:

(i) the capacity to provide rehabilitative programming in the correctional facility is diminished but the programming is available in the community; and

(ii) the conditions under which the incarcerated person could be released to the community-based resource but remain subject to commitment to the commissioner and could be considered for earned incentive release credit.

Subd. 2. **Policy on disparities.** The commissioner must develop a policy establishing a process for assessing and addressing any systemic and programmatic gender and racial disparities that may be identified when awarding earned incentive release credits.

**History:** 2023 c 52 art 12 s 6