

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

**THIRD AMENDED ADMINISTRATIVE
ORDER DELEGATING TO THE RAMSEY
COUNTY DEPARTMENT OF COMMUNITY
CORRECTIONS AUTHORITY TO PLACE
CERTAIN DEFENDANTS ON ELECTRONIC
HOME MONITORING, DELAYING THE TURN
IN DATE FOR CERTAIN DEFENDANTS, AND
LIFTING THE SUSPENSION OF THE
SENTENCE TO SERVICE PROGRAM**

WHEREAS, the Minnesota Governor Tim Walz declared a peacetime state of emergency due to the worldwide spread of COVID-19, also referred to as the Coronavirus; and

WHEREAS, the President of the United States also declared a nationwide state of emergency due to the spread of COVID-19; and

WHEREAS, the Centers for Disease Control and Prevention has recommended several steps to help slow or prevent the spread of COVID-19. These steps include avoiding close contact with others, staggering work schedules, and limiting gatherings; and

WHEREAS, the Minnesota Governor Tim Walz issued Executive Orders directing Minnesotans to stay at home except for certain exempted activities and work; and

WHEREAS, the Chief Justice of the Minnesota Supreme Court issued Administrative Orders directing that Minnesota courts take action consistent with the Emergency Executive Orders; and

WHEREAS, the Second Judicial District is taking necessary and reasonable steps to reduce potential exposure of persons to group settings; and

WHEREAS, pursuant to Minn. Stat. § 484.69, subd. 3, the Chief Judge of the Second Judicial District has general administrative authority over the courts in the Second Judicial District; and

WHEREAS, the Ramsey County Department of Community Corrections is implementing steps to reduce the risk of infection among both its staff and the individuals in its custody; and

WHEREAS, the Ramsey County Department of Community Corrections houses individuals who have been adjudicated and sentenced to a year of custody or less at the Ramsey County Correctional Facility (RCCF) in Maplewood, MN; and

WHEREAS, the individuals at RCCF include those who have previously been approved by the court for work release. This means that the individual is released from custody during the work-day but spends the remaining portion of the day in custody at RCCF; and

WHEREAS, the Ramsey County Department of Community Corrections seeks authority to release all persons who are currently work-release approved to electronic home monitoring in an effort to decrease the risk of introducing COVID-19 into RCCF. Similarly, if COVID-19 enters RCCF, an order releasing individuals on work release to electronic home monitoring would decrease the risk of spreading the disease to the community by those individuals who leave the facility for work release; and

WHEREAS, the Ramsey County Department of Community Corrections seeks authority to modify the turn-in date for any defendants who have been sentenced but who have not yet reported to custody at RCCF if needed to protect the safety of current or future RCCF defendants or staff; and

WHEREAS, pursuant to Administrative Orders previously filed the court authorized the Ramsey County Department of Community Corrections to delay turn-in dates to the RCCF and suspend the Sentence-to-Service program until October 30, 2020; and,

WHEREAS, the extended turn-in-date delays will produce insurmountable logistical challenges necessitating an amended order providing for a staggered turn-in-date schedule:

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The Ramsey Department of Community Corrections is hereby authorized to release all individuals who are either on work release or who are eligible for work release to an electronic home monitoring program for the earlier to occur of (i) the duration of the required term of incarceration for such person; or (ii) the expiration date or rescission date of this Order, in which case the Ramsey County Department of Community Corrections shall order the person to report to the workhouse for the remainder of the required period of incarceration.
2. **Any defendant who is to be sentenced and given a future turn-in date prior to: November 15, 2020 shall not report for custody until November 15, 2020 if they were sentenced for a Felony level offense; November 30, 2020 if they were sentenced for a Gross Misdemeanor level offense, and December 15, 2020 if they were sentenced for a Misdemeanor level offense. Defendants who were sentenced for offenses of multiple levels shall report on the earliest applicable date.**
3. For all defendants given a new turn-in date, Community Corrections shall, on a daily basis by 4:00 p.m., advise Second Judicial District Criminal Court Administration (by email to Drew Vanderlinden (Drew.vanderlinden@courts.state.mn.us)) the MNCIS case

number and name of the defendant.

4. The suspension of Sentence-to-Service program expired **July 15, 2020.**
5. **This Order supersedes the court's July 16, 2020 Second Amended Administrative Order Delegating to the Ramsey County Department of Community Corrections Authority to Place Certain Defendants on Electronic Home Monitoring and Delaying the Turn in Date for Certain Defendants.**
6. This Order remains in force and effect until December 15, 2020, or the earlier rescission date or extension date as evidenced by a further court order.

Dated: October 28, 2020

BY THE COURT:

A handwritten signature in black ink, appearing to read 'Leonardo Castro', written over a horizontal line.

Leonardo Castro
Chief Judge
Second Judicial District