

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

**IN RE DELEGATION OF AUTHORITY TO HENNEPIN COUNTY DEPARTMENT OF
COMMUNITY CORRECTIONS TO PUT DEFENDANTS ON ELECTRONIC HOME
MONITORING IN LIEU OF ADULT CORRECTIONS FACILITY (WORKHOUSE)
TIME OR DELAY THEIR REPORT DATE TO WORKHOUSE**

ADMINISTRATIVE ORDER

WHEREAS, the outbreak of Coronavirus Disease 2019 (COVID-19) in Minnesota has resulted in the declaration of a peacetime emergency pursuant to the issuance of Executive Order 20-01 by Governor Tim Walz on March 13, 2020, and he has issued subsequent orders including a stay at home directive that currently expires on May 18, 2020 (Emergency Executive Order No. 20-48)(Apr. 30, 2020); and

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

WHEREAS, pursuant to Minn. Stat. §484.60, subd. 3, the chief judge of the district has general administrative authority over the courts in the judicial district; and

WHEREAS, the Hennepin County Department of Community Corrections is responsible for the operations of the Hennepin County Adult Corrections Facility (ACF), where, by district court judge order, persons may be incarcerated there for periods up to 365 days, and those orders may bar such persons from being released on electronic home monitoring (EHM), and commitment orders must also specify the date the person is to report to the ACF.

NOW, THEREFORE, it is hereby ordered that:

1. The Hennepin County Department of Community Corrections is hereby authorized to override individual judges' orders directing that EHM is not permitted to be used for a specific individual otherwise scheduled to be incarcerated at the ACF, but who has work (Huber) privileges, and to place such person(s) on electronic home monitoring 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 DOCCR shall order the person to report to the workhouse for the remainder of the required period of incarceration.
2. Further, the Department of Community Corrections (DOCCR) is authorized to delay the report date of any person(s) scheduled to report to the ACF on and after the date of this Order to a date after the scheduled report date, up to and including the expiration date or rescission date of this Order as deemed necessary or appropriate to manage the size of the population at the ACF.

3. DOCCR shall promptly (at least twice daily-noon and 4 pm) advise Fourth Judicial District Criminal Court Administration (by email to Fred Hendrickson, Lidia Morales and Shannon Cooper) of the details of any exercise of the authority granted in this Order (MNCIS case number, name of defendant, specific change authorized, delayed report date/time selected).
4. This Order supercedes the related orders issued on March 16, 2020 and April 9, 2020, and remains in full force and effect until June 30, 2020, or as modified by a further court order.

BY THE COURT:

Dated: May 1, 2020

Ivy S. Bernhardson
Chief Judge of District Court