

**ORDER DELEGATING AUTHORITY TO
RAMSEY COUNTY COMMUNITY CORRECTIONS
TO RELEASE INCARCERATED DEFENDANTS
ON ELECTRONIC HOME MONITORING**

WHEREAS, On March 13, 2020, 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, on March 13, 2020, 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 large gatherings; and

WHEREAS, the Second Judicial District 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, pursuant to Rule 6.02, subd. 1, of the Minnesota Rules of Criminal Procedure, the Court may delegate its release authority; and

WHEREAS, the Ramsey County Correctional Facility is implementing steps to reduce the risk of infection among both its staff and the inmates in its custody; and

WHEREAS, the Ramsey County Correctional Facility (RCCF), seeks authority to release on electronic home monitoring all persons who are currently serving sentences on low level, nonviolent offenses and individuals classified as Medically Vulnerable, in an effort to decrease the risk of introducing COVID-19 into the RCCF;

THEREFORE, IT IS HEREBY ORDERED:

Notwithstanding the terms of a defendant's current warrant of commitment, Ramsey County Correctional Facility Staff are authorized to release defendants on Electronic Home Monitoring as follows:

1. All Misdemeanor and Gross Misdemeanor offenses with the exception of:

- a. A qualified domestic violence-related offense as defined in Minn. Stat. § 609.02, subs. 16.
- b. Misdemeanor violation of a harassment restraining order, violation of an order for protection, or indecent exposure.
- c. Any DWI conviction in which the defendant was sentenced to serve 90 or more days.

2. Felony offenses as follows:

Any conviction on one of the following offenses: aggravated forgery (609.625); check forgery/offering a forged check (609.631); criminal damage to property (609.595); financial transaction card fraud (609.821); forgery (609.63); fraud in obtaining credit (609.82); gambling (609.76); identify theft (609.527); insurance fraud (609.611); issuance of dishonored check (609.535); issuance of worthless check (604.113); lawful gambling fraud (609.763); medical assistance fraud (609.466); misusing credit card to secure services (609.545); motor vehicle tampering (609.546); obtaining signature by false pretenses (609.635); possession of/receiving stolen property (609.53); possession of shoplifting gear (609.521); residential mortgage fraud (609.822); state lottery fraud (609.651); telecommunications and information services fraud (609.893); theft (609.52); uttering a forged instrument (609.625, subd. 3); wrongfully obtaining assistance (256.98, subd. 1); or wrongfully obtaining unemployment benefits (268.182). 5th Degree Controlled Substances Crime (152.025); 4th Degree Controlled Substances Crime (152.024); 3rd Degree Controlled Substances Crime (152.023); Importing Controlled Substances Across State Borders (152.0261); Possession of Substances with Intent to Manufacture Methamphetamine Crime (152.0262); Conspiracies prohibited (152.096); Simulated Controlled Substances (152.097); Simulated Controlled Substances (152.097); Anhydrous Ammonia (152.136); Motor Vehicle Theft (609.52.2(a)(17)) or (609.52.2(1)(1) and 609.52.3(2); Burglary 3rd Degree (609.582.3) Possession/Use of Scanning Device or Reencoder (609.528).

3. Any defendant who does not qualify for release under paragraphs 1 and 2 above, may be placed on Electronic Home Monitoring as follows:
 - a. Defendant must be Medically Vulnerable and within COVID-19 High Risk status.
 - b. Defendant must be released on GPS monitoring with high levels of supervision, including real-time position locating.
4. This Order remains in force and effect until April 15, 2020 unless extended or rescinded by a further court order.

Dated: March 22, 2018

BY THE COURT:

John H. Guthmann
Chief Judge, Second Judicial District