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State of Minnesota

Printed Page No. 102

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 1511

02/09/2023 Authored by Feist, Moller, Frazier, Hornstein, Pinto and others
The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy
03/08/2023 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time

1.1 A bill for an act
1.2 relating to corrections; providing for juvenile risk assessments; amending Minnesota
1.3 Statutes 2022, section 260B.176, by adding a subdivision.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2022, section 260B.176, is amended by adding a subdivision
1.6 to read:

1.7 Subd. 1a. Risk-assessment instrument. (a) If a peace officer, probation officer, or
1.8 parole officer who takes a child into custody does not release the child according to
1.9 subdivision 1, the officer must communicate with or deliver the child to a juvenile secure
1.10 detention facility to determine whether the child should be released or detained.

1.11 (b) To determine whether a child should be released or detained, a facility's supervisor
1.12 must use an objective and racially, ethnically, and gender-responsive juvenile detention
1.13 risk-assessment instrument developed by the commissioner of corrections, county, group
1.14 of counties, or judicial district, in consultation with the state coordinator or coordinators of
1.15 the Minnesota Juvenile Detention Alternative Initiative.

1.16 (c) The risk-assessment instrument must:
1.17 (1) assess the likelihood that a child released from preadjudication detention under this
1.18 section or section 260B.178 would endanger others or not return for a court hearing;

1.19 (2) identify the appropriate setting for a child who might endanger others or not return
1.20 for a court hearing pending adjudication, with either continued detention or placement in a
1.21 noncustodial community-based supervision setting; and

2.1 (3) identify the type of noncustodial community-based supervision setting necessary to  
2.2 minimize the risk that a child who is released from custody will endanger others or not  
2.3 return for a court hearing.

2.4 (d) If, after using the instrument, a determination is made that the child should be released,  
2.5 the person taking the child into custody or the facility supervisor must release the child  
2.6 according to subdivision 1.

2.7 **EFFECTIVE DATE.** This section is effective August 15, 2023.