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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 1612

02/13/2023

Authored by Freiberg

The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to corrections; modifying the authority of the commissioner of corrections
1.3 to house inmates in multiple occupancy cells; amending Minnesota Statutes 2022,
1.4 section 243.53, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2022, section 243.53, subdivision 1, is amended to read:

1.7 Subdivision 1. **Separate cells.** (a) When there are sufficient cells available, each inmate
1.8 shall be confined in a separate cell. Each inmate shall be confined in a separate cell in
1.9 institutions classified by the commissioner as custody level five institutions.

1.10 (b) Correctional institutions classified by the commissioner as custody level one, two,
1.11 three, or four institutions ~~must~~ may permit multiple occupancy, except segregation units,
1.12 ~~to the greatest extent possible~~ not to exceed the limits of facility infrastructure and
1.13 programming space. To reduce the risk of violence or threatened violence, the commissioner
1.14 shall assess whether potential cellmates are compatible before assigning inmates to multiple
1.15 occupancy cells. Assessments must include but are not limited to:

- 1.16 (1) the crime for which an inmate was convicted;
- 1.17 (2) an inmate's criminal history;
- 1.18 (3) an inmate's disciplinary record from a current or prior period of incarceration;
- 1.19 (4) an inmate's medical history and psychological status; and
- 1.20 (5) any particular needs or problems an inmate may have.