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State of Minnesota

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

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. If a peace officer or probation or parole officer
1.8 who took a child into custody does not release the child as provided in subdivision 1, the
1.9 peace officer or probation or parole officer shall communicate with or deliver the child to
1.10 a juvenile secure detention facility to determine whether the child should be released or
1.11 detained. Before detaining a child, the supervisor of the facility shall use an objective and
1.12 racially, ethnically, and gender-responsive juvenile detention risk assessment instrument
1.13 developed by the commissioner of corrections, county, group of counties, or judicial district,
1.14 in consultation with the state coordinator or coordinators of the Minnesota Juvenile Detention
1.15 Alternative Initiative. The risk assessment instrument must assess the likelihood that a child
1.16 released from preadjudication detention under this section or section 260B.178 would
1.17 endanger others or not return for a court hearing. The instrument must identify the appropriate
1.18 setting for a child who might endanger others or not return for a court hearing pending
1.19 adjudication, with either continued detention or placement in a noncustodial
1.20 community-based supervision setting. The instrument must also identify the type of
1.21 noncustodial community-based supervision setting necessary to minimize the risk that a
1.22 child who is released from custody will endanger others or not return for a court hearing.
1.23 If, after using the instrument, a determination is made that the child should be released, the

- 2.1 person taking the child into custody or the supervisor of the facility shall release the child
- 2.2 as provided in subdivision 1.
- 2.3 **EFFECTIVE DATE.** This section is effective August 15, 2023.