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# State of Minnesota

## HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

# H. F. No. 1958

01/26/2012 Authored by Hilstrom

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

1.1 A bill for an act  
1.2 relating to corrections; narrowing selection criteria for challenge incarceration  
1.3 program; amending Minnesota Statutes 2010, section 244.17, subdivision 3.  
1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2010, section 244.17, subdivision 3, is amended to read:

1.6 Subd. 3. **Offenders not eligible.** (a) The following offenders are not eligible to be  
1.7 placed in the challenge incarceration program:

1.8 (1) offenders who are committed to the commissioner's custody or any state or  
1.9 federal prison following a conviction for murder, manslaughter, criminal sexual conduct,  
1.10 assault, kidnapping, robbery, arson, drive-by shooting, criminal vehicular homicide or  
1.11 operation, or any other offense that includes characteristics involving death or intentional  
1.12 personal injury great bodily harm to the victim or victims as defined under section 609.02,  
1.13 or discharge of a firearm;

1.14 (2) offenders who were ~~convicted within the preceding ten years of an offense~~  
1.15 ~~described in clause (1) and were committed to the custody of the commissioner~~ released  
1.16 from the commissioner's custody or the custody of a state or federal prison unless five  
1.17 years have elapsed from the date of discharge or expiration of the sentence for an offense  
1.18 described under clause (1);

1.19 (3) offenders who have been convicted or adjudicated delinquent within the past five  
1.20 years for a violation of section 609.485;

1.21 (4) offenders who are ~~committed to the commissioner's custody for an offense that~~  
1.22 ~~requires~~ required to complete predatory offender registration under section 243.166;

2.1 (5) offenders who have been reviewed by the commissioner and referred to the  
2.2 county for review for civil commitment as a sexual psychopathic personality, a sexually  
2.3 dangerous person, mentally ill, or mentally ill and dangerous to the public;

2.4 ~~(5)~~ (6) offenders who are the subject of a current arrest warrant or detainer;  
2.5 ~~(6)~~ (7) offenders who have fewer than 180 days remaining until their supervised  
2.6 release date;

2.7 ~~(7)~~ (8) offenders who have had ~~disciplinary confinement time added to their sentence~~  
2.8 institution discipline resulting in extended incarceration or who have been placed in  
2.9 segregation, unless 90 days have elapsed from the imposition of the ~~additional disciplinary~~  
2.10 ~~confinement time~~ extended incarceration or the last day of segregation;

2.11 ~~(8)~~ (9) offenders who have received a suspended formal disciplinary sanction, ~~unless~~  
2.12 ~~the suspension~~ or imposed formal loss of privileges sanction until the sanction has expired;

2.13 ~~(9)~~ (10) offenders whose governing sentence is for an offense from another state  
2.14 or the United States; and

2.15 ~~(10)~~ (11) offenders who have a medical condition included on the list of ineligible  
2.16 conditions described in paragraph (b).

2.17 (b) The commissioner of corrections shall develop a list of medical conditions that  
2.18 will disqualify an offender from participating in the challenge incarceration program.  
2.19 The commissioner shall submit the list and any changes to it to the chairs and ranking  
2.20 minority members of the senate and house committees having jurisdiction over criminal  
2.21 justice policy and funding.