

## CHAPTER 418—H. F. No. 409

[Coded in Part]

*An act relating to persons convicted of gross misdemeanor or felony and confined in a penal institution; establishing a work release plan for such persons; extending the limits of their confinement; defining the powers and duties of the commissioner of corrections, the adult corrections commission and the youth conservation commission in relation thereto; creating a work release fund; appropriating money; and amending Minnesota Statutes 1965, Section 243.09.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. [241.26] **Prisoners; work release program; private employment of inmates of state correctional institutions in community.** *Subdivision 1. Authority. The adult corrections commission and the youth conservation commission upon recommendation of the commissioner of corrections may conditionally release selected inmates of state correctional institutions who are subject to their control, who have been convicted of a gross misdemeanor or a felony, and who are eligible and being considered for parole under section 243.05, to work at paid employment, seek employment, or to participate in vocational training programs in any community or area of the state, provided that (a) representatives of local union central bodies or similar labor union organizations are consulted; and (b) such paid employment will not result in the displacement of employed workers. Such release constitutes an extension of the limits of confinement and each inmate so released shall be confined in the institution from which released or in some other suitable place of confinement designated by the commissioner of corrections during such time as such inmate is not employed, seeking employment, or engaged in a vocational training program, or, if employed, seeking employment, or engaged in a vocational training program, between the times of such activity.*

*Subd. 2. Use of local detention facilities. The commissioner of corrections shall designate state correctional institutions for participation in the program authorized in subdivision 1 and shall adapt facilities of such institutions to provide housing and supervision of inmates participating in such program. He may also enter into contractual agreements with appropriate city and county authorities for the confinement of and provision of other correctional services to such inmates whose employment or vocational training programs so require, and such city and county authorities are hereby authorized to make and enter such contracts and agreements.*

*Subd. 3. Rules. The commissioner of corrections shall, upon consultation with the adult corrections commission and the*

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*youth conservation commission, establish rules for the placement and supervision of such inmates and for the administration of the programs authorized by this section. When consistent with the public interest the adult corrections commission and the youth conservation commission may grant furloughs not to exceed 10 days duration to those persons subject to their control who participate in such conditional release programs.*

*Subd. 4. **Revocation.** The willful failure of an inmate to report to or return from planned employment, the seeking of employment, vocational training, or furlough as provided in subdivision 3 shall be considered an escape under Minnesota Statutes, Section 609.485. If an inmate violates any of the rules as provided for in subdivision 3, his work placement or vocational training privileges may be withdrawn by the commission granting such conditional release.*

*Subd. 5. **Earnings; Work Release Account.** The net earnings of each inmate participating in work release program provided by this section shall be collected by or forwarded to the commissioner of corrections under rules established by him and deposited by the commissioner in the state treasury and credited to the "Work Release Account", which account is hereby established, to the account of such inmate. Such moneys shall be and remain under the control of the commissioner for the sole benefit of such inmate, subject to disbursement by the commissioner for the following purpose and in the following order:*

*(1) The cost of such inmate's keep as determined by the provision of subdivision 7, which moneys shall be deposited in the general revenue fund of the state treasury if such inmate is housed in a state correctional institution, or shall be paid to the appropriate city or county treasurer if such inmate is housed in a city or county facility;*

*(2) Necessary travel expense to and from work and other incidental expenses of the inmate;*

*(3) Support of inmate's dependents, if any;*

*(4) After the above expenditures, the inmate shall have discretion to direct payment of the balance, if any, upon proper proof of personal legal debts;*

*(5) The balance, if any, shall be disbursed to the inmate as provided in section 243.24, subdivision 1.*

*All moneys in the "Work Release Account" established by this*

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*subdivision are appropriated annually to the commissioner of corrections for the purposes of the work release program.*

*Subd. 6. Exemption from process. Wages or salaries of work placement inmates shall not be subject to garnishment, attachment, or execution in the hands of either the employer or a state agent authorized to hold such funds.*

*Subd. 7. Payment of board and room. The commissioner shall determine the amount to be paid for board and room by such work placement inmate. When special circumstances warrant or for just and reasonable cause, the commissioner may waive the payment by the inmate of board and room charges and report such waivers to the state auditor and the state public examiner.*

*Where a work placement inmate is housed in a jail or workhouse, such board and room revenue shall be paid over to such city or county official as provided for in subdivision 2, provided however, that when payment of board and room has been waived, the commissioner shall make such payments from funds appropriated for that purpose.*

Sec. 2. Minnesota Statutes 1965, Section 243.09, is amended to read:

**243.09 Supervision by commission; agents.** The commissioner of corrections, as far as possible, shall exercise supervision over ~~paroled and discharged convicts and persons released on parole,~~ probationers, and those state correctional institution inmates who are granted paid work placement or vocational training privileges on a voluntary basis by the adult corrections commission and the youth conservation commission, and, when deemed necessary for that purpose, may appoint state agents, who shall be in the classified service of the state civil service. He may also appoint suitable persons in any part of the state for the same purpose. Every such agent or person shall perform such duties as the commissioner may prescribe in behalf of or in the supervision of probationers and prisoners paroled or discharged from the state prison, the state reformatory for men, or the state reformatory for women and any other adult correctional facilities, including assistance in obtaining employment and the return of paroled prisoners, and in addition thereto shall, when so requested by the commissioner, investigate the circumstances and conditions of the dependents of prisoners of the state penal institutions, and report his findings and recommendations to the warden and superintendent of the respective institutions.

Approved May 15, 1967.

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