

51.17

ARTICLE 3

51.18

CORRECTIONS

51.19 Section 1. Minnesota Statutes 2018, section 13.851, is amended by adding a subdivision
51.20 to read:

51.21 Subd. 12. **Mental health screening.** The treatment of data collected by a sheriff or local
51.22 corrections agency related to individuals who may have a mental illness is governed by
51.23 section 641.15, subdivision 3a.

51.24 Sec. 2. **[13.856] OMBUDSPERSON FOR CORRECTIONS; DATA.**

51.25 Subdivision 1. **Private data.** The following data maintained by the ombudsperson for
51.26 corrections are classified as private data, pursuant to section 13.02, subdivision 12:

51.27 (1) all data on individuals pertaining to contacts made by clients seeking the assistance
51.28 of the ombudsperson, except as specified in subdivisions 2 and 3;

52.1 (2) data recorded from personal and phone conversations and in correspondence between
52.2 the ombudsperson's staff and persons interviewed during the course of an investigation;

52.3 (3) client index cards;

52.4 (4) case assignment data; and

52.5 (5) monthly closeout data.

52.6 Subd. 2. **Confidential data.** The written summary of the investigation maintained by
52.7 the ombudsperson is, to the extent it identifies individuals, classified as confidential data,
52.8 pursuant to section 13.02, subdivision 3.

52.9 Subd. 3. **Public data.** The following data maintained by the ombudsperson are classified
52.10 as public data pursuant to section 13.02, subdivision 15:

52.11 (1) client name;

52.12 (2) client location; and

52.13 (3) the inmate identification number assigned by the Department of Corrections.

52.14 Subd. 4. **Access to data.** The ombudsperson for corrections has access to corrections
52.15 and detention data and medical data as provided under section 241.94.

52.16 Sec. 3. Minnesota Statutes 2018, section 15A.0815, subdivision 3, is amended to read:

52.17 Subd. 3. **Group II salary limits.** The salary for a position listed in this subdivision shall
52.18 not exceed 120 percent of the salary of the governor. This limit must be adjusted annually
52.19 on January 1. The new limit must equal the limit for the prior year increased by the percentage
52.20 increase, if any, in the Consumer Price Index for all urban consumers from October of the
52.21 second prior year to October of the immediately prior year. The commissioner of management

52.22 and budget must publish the limit on the department's website. This subdivision applies to
52.23 the following positions:

- 52.24 Executive director of Gambling Control Board;
- 52.25 Commissioner of Iron Range resources and rehabilitation;
- 52.26 Commissioner, Bureau of Mediation Services;
- 52.27 Ombudsman for mental health and developmental disabilities;
- 52.28 Ombudsperson for corrections;
- 52.29 Chair, Metropolitan Council;
- 52.30 School trust lands director;
- 53.1 Executive director of pari-mutuel racing; and
- 53.2 Commissioner, Public Utilities Commission.

53.3 Sec. 4. Minnesota Statutes 2018, section 144.121, subdivision 1a, is amended to read:

53.4 Subd. 1a. **Fees for ionizing radiation-producing equipment.** (a) A facility with ionizing
53.5 radiation-producing equipment must pay an annual initial or annual renewal registration
53.6 fee consisting of a base facility fee of \$100 and an additional fee for each radiation source,
53.7 as follows:

- 53.8 (1) medical or veterinary equipment \$ 100
- 53.9 (2) dental x-ray equipment \$ 40
- 53.10 (3) x-ray equipment not used on \$ 100
53.11 humans or animals
- 53.12 (4) devices with sources of ionizing \$ 100
53.13 radiation not used on humans or
53.14 animals
- 53.15 (5) security screening system \$ 100

53.16 (b) A facility with radiation therapy and accelerator equipment must pay an annual
53.17 registration fee of \$500. A facility with an industrial accelerator must pay an annual
53.18 registration fee of \$150.

53.19 (c) Electron microscopy equipment is exempt from the registration fee requirements of
53.20 this section.

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1.6 Section 1. Minnesota Statutes 2018, section 144.121, subdivision 1a, is amended to read:

1.7 Subd. 1a. **Fees for ionizing radiation-producing equipment.** (a) A facility with ionizing
1.8 radiation-producing equipment must pay an annual initial or annual renewal registration
1.9 fee consisting of a base facility fee of \$100 and an additional fee for each radiation source,
1.10 as follows:

- 1.11 (1) medical or veterinary equipment \$ 100
- 1.12 (2) dental x-ray equipment \$ 40
- 1.13 (3) x-ray equipment not used on \$ 100
1.14 humans or animals
- 1.15 (4) devices with sources of ionizing \$ 100
1.16 radiation not used on humans or
1.17 animals
- 1.18 (5) security screening system \$ 720

1.19 (b) A facility with radiation therapy and accelerator equipment must pay an annual
1.20 registration fee of \$500. A facility with an industrial accelerator must pay an annual
1.21 registration fee of \$150.

1.22 (c) Electron microscopy equipment is exempt from the registration fee requirements of
1.23 this section.

53.21 (d) For purposes of this section, a security screening system means radiation-producing
 53.22 equipment designed and used for security screening of humans who are in the custody of a
 53.23 correctional or detention facility, and used by the facility to image and identify contraband
 53.24 items concealed within or on all sides of a human body. For purposes of this section, a
 53.25 correctional or detention facility is a facility licensed under section 241.021 and operated
 53.26 by a state agency or political subdivision charged with detection, enforcement, or
 53.27 incarceration in respect to state criminal and traffic laws.

53.28 Sec. 5. Minnesota Statutes 2018, section 144.121, is amended by adding a subdivision to
 53.29 read:

53.30 Subd. 9. **Exemption from examination requirements; operators of security screening**
 53.31 **systems.** (a) An employee of a correctional or detention facility who operates a security
 53.32 screening system and the facility in which the system is being operated are exempt from
 53.33 the requirements of subdivisions 5 and 6.

54.1 (b) An employee of a correctional or detention facility who operates a security screening
 54.2 system and the facility in which the system is being operated must meet the requirements
 54.3 of a variance to Minnesota Rules, parts 4732.0305 and 4732.0565, issued under Minnesota
 54.4 Rules, parts 4717.7000 to 4717.7050. This paragraph expires on December 31 of the year
 54.5 that the permanent rules adopted by the commissioner governing security screening systems
 54.6 are published in the State Register.

54.7 **EFFECTIVE DATE.** This section is effective the day following final enactment.

54.8 Sec. 6. Minnesota Statutes 2018, section 151.37, subdivision 12, is amended to read:

54.9 Subd. 12. **Administration of opiate antagonists for drug overdose.** (a) A licensed
 54.10 physician, a licensed advanced practice registered nurse authorized to prescribe drugs
 54.11 pursuant to section 148.235, or a licensed physician assistant authorized to prescribe drugs
 54.12 pursuant to section 147A.18 may authorize the following individuals to administer opiate
 54.13 antagonists, as defined in section 604A.04, subdivision 1:

54.14 (1) an emergency medical responder registered pursuant to section 144E.27;

54.15 (2) a peace officer as defined in section 626.84, subdivision 1, paragraphs (c) and (d);

54.16 ~~and~~

54.17 (3) employees of a correctional facility; and

54.18 (4) staff of community-based health disease prevention or social service programs.

54.19 (b) For the purposes of this subdivision, opiate antagonists may be administered by one
 54.20 of these individuals only if:

54.21 (1) the licensed physician, licensed physician assistant, or licensed advanced practice
 54.22 registered nurse has issued a standing order to, or entered into a protocol with, the individual;
 54.23 and

2.1 (d) For purposes of this section, a security screening system means radiation-producing
 2.2 equipment designed and used for security screening of humans who are in the custody of a
 2.3 correctional or detention facility, and used by the facility to image and identify contraband
 2.4 items concealed within or on all sides of a human body. For purposes of this section, a
 2.5 correctional or detention facility is a facility licensed under section 241.021 and operated
 2.6 by a state agency or political subdivision charged with detection, enforcement, or
 2.7 incarceration in respect to state criminal and traffic laws.

2.8 Sec. 2. Minnesota Statutes 2018, section 144.121, is amended by adding a subdivision to
 2.9 read:

2.10 Subd. 9. **Exemption from examination requirements; operators of security screening**
 2.11 **systems.** (a) An employee of a correctional or detention facility who operates a security
 2.12 screening system and the facility in which the system is being operated are exempt from
 2.13 the requirements of subdivisions 5 and 6.

2.14 (b) An employee of a correctional or detention facility who operates a security screening
 2.15 system and the facility in which the system is being operated must meet the requirements
 2.16 of a variance to Minnesota Rules, parts 4732.0305 and 4732.0565, issued under Minnesota
 2.17 Rules, parts 4717.7000 to 4717.7050. This paragraph expires on December 31 of the year
 2.18 that the permanent rules adopted by the commissioner governing security screening systems
 2.19 are published in the State Register.

2.20 **EFFECTIVE DATE.** This section is effective the day following final enactment.

54.24 (2) the individual has training in the recognition of signs of opiate overdose and the use
54.25 of opiate antagonists as part of the emergency response to opiate overdose.

54.26 (c) Nothing in this section prohibits the possession and administration of naloxone
54.27 pursuant to section 604A.04.

54.28 Sec. 7. Minnesota Statutes 2018, section 241.01, subdivision 3a, is amended to read:

54.29 Subd. 3a. **Commissioner, powers and duties.** The commissioner of corrections has the
54.30 following powers and duties:

55.1 (a) To accept persons committed to the commissioner by the courts of this state for care,
55.2 custody, and rehabilitation.

55.3 (b) To determine the place of confinement of committed persons in a correctional facility
55.4 or other facility of the Department of Corrections and to prescribe reasonable conditions
55.5 and rules for their employment, conduct, instruction, and discipline within or outside the
55.6 facility. After July 1, 2019, the commissioner shall not allow inmates to be housed in facilities
55.7 that are not owned and operated by the state, a local unit of government, or a group of local
55.8 units of government. Inmates shall not exercise custodial functions or have authority over
55.9 other inmates.

55.10 (c) To administer the money and property of the department.

55.11 (d) To administer, maintain, and inspect all state correctional facilities.

55.12 (e) To transfer authorized positions and personnel between state correctional facilities
55.13 as necessary to properly staff facilities and programs.

55.14 (f) To utilize state correctional facilities in the manner deemed to be most efficient and
55.15 beneficial to accomplish the purposes of this section, but not to close the Minnesota
55.16 Correctional Facility-Stillwater or the Minnesota Correctional Facility-St. Cloud without
55.17 legislative approval. The commissioner may place juveniles and adults at the same state
55.18 minimum security correctional facilities, if there is total separation of and no regular contact
55.19 between juveniles and adults, except contact incidental to admission, classification, and
55.20 mental and physical health care.

55.21 (g) To organize the department and employ personnel the commissioner deems necessary
55.22 to discharge the functions of the department, including a chief executive officer for each
55.23 facility under the commissioner's control who shall serve in the unclassified civil service
55.24 and may, under the provisions of section 43A.33, be removed only for cause.

55.25 (h) To define the duties of these employees and to delegate to them any of the
55.26 commissioner's powers, duties and responsibilities, subject to the commissioner's control
55.27 and the conditions the commissioner prescribes.

55.28 (i) To annually develop a comprehensive set of goals and objectives designed to clearly
55.29 establish the priorities of the Department of Corrections. This report shall be submitted to

55.30 the governor commencing January 1, 1976. The commissioner may establish ad hoc advisory
55.31 committees.

55.32 **EFFECTIVE DATE.** This section is effective the day following final enactment.

56.1 Sec. 8. Minnesota Statutes 2018, section 241.025, subdivision 1, is amended to read:

56.2 Subdivision 1. **Authorization.** The commissioner of corrections may appoint peace
56.3 officers, as defined in section 626.84, subdivision 1, paragraph (c), who shall serve in the
56.4 classified service subject to the provisions of section 43A.01, subdivision 2, and establish
56.5 a law enforcement agency, as defined in section 626.84, subdivision 1, paragraph (f), known
56.6 as the Department of Corrections Fugitive Apprehension Unit, to perform the duties necessary
56.7 to make statewide arrests under sections 629.30 and 629.34. The jurisdiction of the law
56.8 enforcement agency is limited to the activities related to the arrest of Department of
56.9 Corrections' discretionary and statutory released violators and Department of Corrections'
56.10 escapees. The Department of Corrections Fugitive Apprehension Unit may exercise general
56.11 law enforcement duties upon request for assistance from a law enforcement agency and
56.12 subject to availability and resources of the Department of Corrections Fugitive Apprehension
56.13 Unit.

56.14 Sec. 9. Minnesota Statutes 2018, section 241.025, subdivision 2, is amended to read:

56.15 Subd. 2. **Limitations.** The initial processing of a person arrested by the fugitive
56.16 apprehension unit for an offense ~~within the agency's jurisdiction~~ is the responsibility of the
56.17 fugitive apprehension unit unless otherwise directed by the law enforcement agency with
56.18 primary jurisdiction. A subsequent investigation is the responsibility of the law enforcement
56.19 agency of the jurisdiction in which a new crime is committed.

56.20 Sec. 10. Minnesota Statutes 2018, section 241.75, subdivision 2, is amended to read:

56.21 Subd. 2. **Health care decisions.** The medical director of the Department of Corrections
56.22 may make a health care decision for an inmate incarcerated in a state correctional facility
56.23 or placed in an outside facility on conditional medical release if the inmate's attending
56.24 physician determines that the inmate lacks decision-making capacity and:

56.25 (1) there is not a documented health care agent designated by the inmate or the health
56.26 care agent is not reasonably available to make the health care decision;

56.27 (2) if there is a documented health care directive, the decision is consistent with that
56.28 directive;

56.29 (3) the decision is consistent with reasonable medical practice and other applicable law;
56.30 and

57.1 (4) the medical director has made a good faith attempt to consult with the inmate's next
57.2 of kin or emergency contact person in making the decision, to the extent those persons are
57.3 reasonably available.

57.4 Sec. 11. **[241.90] OFFICE OF OMBUDSPERSON; CREATION; QUALIFICATIONS;**
57.5 **FUNCTION.**

57.6 The Office of Ombudsperson for the Department of Corrections is hereby created. The
57.7 ombudsperson shall serve at the pleasure of the governor in the unclassified service, shall
57.8 be selected without regard to political affiliation, and shall be a person highly competent
57.9 and qualified to analyze questions of law, administration, and public policy. No person may
57.10 serve as ombudsperson while holding any other public office. The ombudsperson for
57.11 corrections shall be accountable to the governor and shall have the authority to investigate
57.12 decisions, acts, and other matters of the Department of Corrections so as to promote the
57.13 highest attainable standards of competence, efficiency, and justice in the administration of
57.14 corrections.

57.15 Sec. 12. **[241.91] DEFINITION.**

57.16 For the purposes of sections 241.90 to 241.95, "administrative agency" or "agency"
57.17 means any division, official, or employee of the Department of Corrections, including the
57.18 commissioner of corrections, charged with the care and custody of inmates and any regional
57.19 or local correctional facility licensed or inspected by the commissioner of corrections,
57.20 whether public or private, established and operated for the detention and confinement of
57.21 adults or juveniles, including but not limited to programs or facilities operating under chapter
57.22 401, secure juvenile detention facilities, municipal holding facilities, juvenile temporary
57.23 holdover facilities, regional or local jails, lockups, work houses, work farms, and detention
57.24 facilities, but does not include:

- 57.25 (1) any court or judge;
57.26 (2) any member of the senate or house of representatives;
57.27 (3) the governor or the governor's personal staff;
57.28 (4) any instrumentality of the federal government;
57.29 (5) any interstate compact; or
57.30 (6) any person responsible for the supervision of offenders placed on supervised release,
57.31 parole, or probation.

58.1 Sec. 13. **[241.92] ORGANIZATION OF OFFICE OF OMBUDSPERSON.**

58.2 Subdivision 1. **Employee selection.** The ombudsperson may select, appoint, and
58.3 compensate out of available funds assistants and employees as deemed necessary to discharge
58.4 responsibilities. The ombudsperson and full-time staff shall be members of the Minnesota
58.5 State Retirement Association.

58.6 Subd. 2. **Assistant ombudsperson.** The ombudsperson may appoint an assistant
58.7 ombudsperson in the unclassified service.

58.8 Subd. 3. **Delegation of duties.** The ombudsperson may delegate to staff members any
58.9 of the ombudsperson's authority or duties except the duty of formally making
58.10 recommendations to an administrative agency or reports to the Office of the Governor or
58.11 to the legislature.

58.12 Sec. 14. **[241.93] POWERS OF OMBUDSPERSON; INVESTIGATIONS; ACTION**
58.13 **ON COMPLAINTS; RECOMMENDATIONS.**

58.14 Subdivision 1. **Powers.** The ombudsperson may:

58.15 (1) prescribe the methods by which complaints are to be made, reviewed, and acted
58.16 upon; provided, however, that the ombudsperson may not levy a complaint fee;

58.17 (2) determine the scope and manner of investigations to be made;

58.18 (3) except as otherwise provided, determine the form, frequency, and distribution of
58.19 conclusions, recommendations, and proposals; provided, however, that the governor or a
58.20 representative may, at any time the governor deems necessary, request and receive
58.21 information from the ombudsperson. Neither the ombudsperson nor any member of the
58.22 ombudsperson's staff shall be compelled to testify or to produce evidence in any judicial or
58.23 administrative proceeding with respect to any matter involving the exercise of the
58.24 ombudsperson's official duties except as may be necessary to enforce the provisions of
58.25 sections 241.90 to 241.95;

58.26 (4) investigate, upon a complaint or upon personal initiative, any action of an
58.27 administrative agency;

58.28 (5) request and be given access to information in the possession of an administrative
58.29 agency deemed necessary for the discharge of responsibilities;

58.30 (6) examine the records and documents of an administrative agency;

58.31 (7) enter and inspect, at any time, premises within the control of an administrative agency;

59.1 (8) subpoena any person to appear, give testimony, or produce documentary or other
59.2 evidence that the ombudsperson deems relevant to a matter under inquiry, and may petition
59.3 the appropriate state court to seek enforcement with the subpoena; provided, however, that
59.4 any witness at a hearing or before an investigation shall possess the same privileges reserved
59.5 to a witness in the courts or under the laws of this state;

59.6 (9) bring an action in an appropriate state court to provide the operation of the powers
59.7 provided in this subdivision. The ombudsperson may use the services of legal assistance to
59.8 Minnesota prisoners for legal counsel. The provisions of sections 241.90 to 241.95 are in
59.9 addition to other provisions of law under which any remedy or right of appeal or objection
59.10 is provided for any person, or any procedure provided for inquiry or investigation concerning
59.11 any matter. Nothing in sections 241.90 to 241.95 shall be construed to limit or affect any

59.12 other remedy or right of appeal or objection nor shall it be deemed part of an exclusionary
59.13 process; and

59.14 (10) be present at commissioner of corrections parole, supervised release, and parole
59.15 revocation hearings and deliberations.

59.16 Subd. 2. **Actions against ombudsperson.** No proceeding or civil action except removal
59.17 from office or a proceeding brought pursuant to chapter 13 shall be commenced against the
59.18 ombudsperson for actions taken under the provisions of sections 241.90 to 241.95, unless
59.19 the act or omission is actuated by malice or is grossly negligent.

59.20 Subd. 3. **Matters appropriate for investigation.** (a) In selecting matters for attention,
59.21 the ombudsperson should particularly address actions of an administrative agency that may
59.22 be:

59.23 (1) contrary to law or rule;

59.24 (2) unreasonable, unfair, oppressive, or inconsistent with any policy or judgment of an
59.25 administrative agency;

59.26 (3) mistaken in law or arbitrary in the ascertainment of facts;

59.27 (4) unclear or inadequately explained when reasons should have been revealed; or

59.28 (5) inefficiently performed.

59.29 (b) The ombudsperson may also be concerned with strengthening procedures and practices
59.30 that lessen the risk that objectionable actions of the administrative agency will occur.

60.1 Subd. 4. **Complaints.** (a) The ombudsperson may receive a complaint from any source
60.2 concerning an action of an administrative agency. The ombudsperson may, on personal
60.3 motion or at the request of another, investigate any action of an administrative agency.

60.4 (b) The ombudsperson may exercise powers without regard to the finality of any action
60.5 of an administrative agency; however, the ombudsperson may require a complainant to
60.6 pursue other remedies or channels of complaint open to the complainant before accepting
60.7 or investigating the complaint.

60.8 (c) After completing investigation of a complaint, the ombudsperson shall inform the
60.9 complainant, the administrative agency, and the official or employee of the action taken.

60.10 (d) A letter to the ombudsperson from a person in an institution under the control of an
60.11 administrative agency shall be forwarded immediately and unopened to the ombudsperson's
60.12 office. A reply from the ombudsperson to the person shall be promptly delivered unopened
60.13 to the person after its receipt by the institution.

60.14 (e) No complainant shall be punished nor shall the general condition of the complainant's
60.15 confinement or treatment be unfavorably altered as a result of the complainant having made
60.16 a complaint to the ombudsperson.

60.17 Subd. 5. **Investigation of adult local jails and detention facilities.** Either the
60.18 ombudsperson or the jail inspection unit of the Department of Corrections may investigate
60.19 complaints involving local adult jails and detention facilities. The ombudsperson and
60.20 Department of Corrections must enter into an arrangement with one another that ensures
60.21 they are not duplicating services.

60.22 Subd. 6. **Recommendations.** (a) If, after duly considering a complaint and whatever
60.23 material the ombudsperson deems pertinent, the ombudsperson is of the opinion that the
60.24 complaint is valid, the ombudsperson may recommend that an administrative agency should:

60.25 (1) consider the matter further;

60.26 (2) modify or cancel its actions;

60.27 (3) alter a ruling;

60.28 (4) explain more fully the action in question; or

60.29 (5) take any other step that the ombudsperson recommends to the administrative agency
60.30 involved.

61.1 If the ombudsperson so requests, the agency shall, within the time the ombudsperson
61.2 specifies, inform the ombudsperson about the action taken on the ombudsperson's
61.3 recommendations or the reasons for not complying with it.

61.4 (b) If the ombudsperson has reason to believe that any public official or employee has
61.5 acted in a manner warranting criminal or disciplinary proceedings, the ombudsperson may
61.6 refer the matter to the appropriate authorities.

61.7 (c) If the ombudsperson believes that an action upon which a valid complaint is founded
61.8 has been dictated by a statute, and that the statute produces results or effects that are unfair
61.9 or otherwise objectionable, the ombudsperson shall bring to the attention of the governor
61.10 and the legislature the ombudsperson's view concerning desirable statutory change.

61.11 Subd. 7. **Grants.** The ombudsperson may apply for and receive grants from public and
61.12 private entities for purposes of carrying out the ombudsperson's powers and duties under
61.13 sections 241.90 to 241.95.

61.14 Sec. 15. **[241.94] ACCESS BY OMBUDSPERSON TO DATA.**

61.15 Notwithstanding section 13.384 or 13.85, the ombudsperson has access to corrections
61.16 and detention data and medical data maintained by an agency and classified as private data
61.17 on individuals or confidential data on individuals when access to the data is necessary for
61.18 the ombudsperson to perform the powers under section 241.93.

61.19 Sec. 16. **[241.95] PUBLICATION OF RECOMMENDATIONS; REPORTS.**

61.20 Subdivision 1. **Publication.** The ombudsperson may publish conclusions and suggestions
 61.21 by transmitting them to the Office of the Governor. Before announcing a conclusion or
 61.22 recommendation that expressly or impliedly criticizes an administrative agency or any
 61.23 person, the ombudsperson shall consult with that agency or person. When publishing an
 61.24 opinion adverse to an administrative agency or any person, the ombudsperson shall include
 61.25 in the publication any statement of reasonable length made to the ombudsperson by that
 61.26 agency or person in defense or mitigation of the action.

61.27 Subd. 2. **Annual report.** In addition to whatever reports the ombudsperson may make
 61.28 on an ad hoc basis, the ombudsperson shall report to the governor and the senate and house
 61.29 committee chairs and ranking minority members for the committees and divisions with
 61.30 fiscal and policy jurisdiction over public safety and corrections at the end of each year on
 61.31 the ombudsperson's functions during the preceding year.

62.1 Sec. 17. Minnesota Statutes 2018, section 242.192, is amended to read:

62.2 **242.192 CHARGES TO COUNTIES.**

62.3 The commissioner shall charge counties or other appropriate jurisdictions 65 percent of
 62.4 the per diem cost of confinement, excluding educational costs and nonbillable service, of
 62.5 juveniles at the Minnesota Correctional Facility-Red Wing and of juvenile females committed
 62.6 to the commissioner of corrections. This charge applies to juveniles committed to the
 62.7 commissioner of corrections and juveniles admitted to the Minnesota Correctional
 62.8 Facility-Red Wing under established admissions criteria. This charge applies to both counties
 62.9 that participate in the Community Corrections Act and those that do not. The commissioner
 62.10 shall determine the per diem cost of confinement based on projected population, pricing
 62.11 incentives, ~~and market conditions, and the requirement that expense and revenue balance~~
 62.12 ~~out over a period of two years.~~ All money received under this section must be deposited in
 62.13 the state treasury and credited to the general fund.

62.14 Sec. 18. Minnesota Statutes 2018, section 243.48, subdivision 1, is amended to read:

62.15 Subdivision 1. **General searches.** The commissioner of corrections, the governor,
 62.16 lieutenant governor, members of the legislature, ~~and~~ state officers, ~~and the ombudsperson~~
 62.17 for corrections may visit the inmates at pleasure, but no other persons without permission
 62.18 of the chief executive officer of the facility, under rules prescribed by the commissioner. A
 62.19 moderate fee may be required of visitors, other than those allowed to visit at pleasure. All
 62.20 fees so collected shall be reported and remitted to the commissioner of management and
 62.21 budget under rules as the commissioner may deem proper, and when so remitted shall be
 62.22 placed to the credit of the general fund.

62.23 Sec. 19. **[243.521] ADMINISTRATIVE AND DISCIPLINARY SEGREGATION.**

62.24 Subdivision 1. **Authorization.** In any adult correctional facility under the control of the
 62.25 commissioner of corrections, the commissioner may require an inmate to be placed on

62.26 disciplinary segregation status for rule violations or on administrative segregation status
62.27 when the continued presence of the inmate in general population would pose a serious threat
62.28 to life, property, self, staff, or other inmates or to the security or orderly running of the
62.29 institution. Inmates pending investigation for trial on a criminal act or pending transfer may
62.30 be included, provided the warden's written approval is sought and granted within seven
62.31 business days of placing the inmate in restrictive housing under this provision. The warden
62.32 of each facility must document any time approval is granted and the reason for it, and submit
62.33 a quarterly report to the commissioner of corrections.

63.1 Subd. 2. **Conditions in segregated housing.** The restrictive housing unit shall provide
63.2 living conditions that are approximate to those offenders in general population, including
63.3 reduced lighting during nighttime hours.

63.4 Subd. 3. **Review of disciplinary segregation status.** The commissioner of corrections
63.5 shall receive notification of all inmates with consecutive placement in a restrictive housing
63.6 setting for more than 30 days. This notification shall occur on a monthly basis. In the event
63.7 an inmate is placed into restrictive housing for more than 120 days, the reason for the
63.8 placement and the behavior management plan for the inmate shall be submitted to the
63.9 commissioner of corrections.

63.10 Subd. 4. **Graduated interventions.** The commissioner shall design and implement a
63.11 continuum of interventions, including informal sanctions, administrative segregation, formal
63.12 discipline, disciplinary segregation, and step-down management. The commissioner shall
63.13 implement a method of due process for all offenders with formal discipline proceedings.

63.14 Subd. 5. **Mental health screening.** (a) If it is apparent that the inmate is exhibiting
63.15 serious symptoms of a mental illness that prevents the inmate from understanding or fully
63.16 participating in the disciplinary process, a mental health professional shall be consulted
63.17 regarding appropriate treatment and placement. For other inmates placed in a restrictive
63.18 setting, an inmate shall be screened by a health services staff member within 24 hours of
63.19 placement in a restrictive housing setting. If the screening indicates symptoms of a mental
63.20 illness, a qualified mental health professional shall be consulted regarding appropriate
63.21 treatment and placement. The health services staff member shall document any time an
63.22 inmate screens in for symptoms of a mental health illness and whether or not the health
63.23 services staff member connected with a mental health professional.

63.24 (b) If mental health staff believe the inmate's behavior may be more appropriately treated
63.25 through alternative interventions or programming, or determine that the inmate's actions
63.26 were the result of mental illness, this information must be considered during the disciplinary
63.27 process.

63.28 Subd. 6. **Mental health care within segregated housing.** A health services staff member
63.29 shall perform a daily wellness round in the restrictive housing setting. If a health services
63.30 staff member indicates symptoms of a mental illness, a qualified mental health professional
63.31 shall be consulted regarding appropriate treatment and placement.

63.32 Subd. 7. **Incentives for return to the general population.** The commissioner shall
63.33 design and implement a system of incentives so that an inmate who demonstrates appropriate
63.34 behavior can earn additional privileges and an accelerated return to the general population.

64.1 Subd. 8. **Discharge from segregated housing.** An inmate shall not be released into the
64.2 community directly from a stay in restrictive housing for 60 or more days absent a compelling
64.3 reason. In cases where there is a compelling reason, the commissioner of corrections or
64.4 deputy commissioner shall directly authorize the inmate's release into the community from
64.5 restrictive housing.

64.6 Subd. 9. **Reporting.** (a) By January 15, 2020, and by January 15 each year thereafter,
64.7 the commissioner of corrections shall report to the chairs and ranking minority members
64.8 of the house of representatives and senate committees and divisions with jurisdiction over
64.9 public safety and judiciary on the status of the implementation of the provisions in this
64.10 section. This report shall include but not be limited to data regarding:

64.11 (1) the number of inmates in each institution placed in restrictive housing during the
64.12 past year;

64.13 (2) the ages of inmates placed in restrictive housing during the past year;

64.14 (3) the number of inmates transferred from restrictive housing to the mental health unit;

64.15 (4) disciplinary sanctions by infraction;

64.16 (5) the lengths of terms served in restrictive housing, including terms served
64.17 consecutively; and

64.18 (6) the number of inmates by race in restrictive housing.

64.19 (b) The Department of Corrections shall submit a qualitative report detailing outcomes,
64.20 measures, and challenges to implementation of a step-down management program by April
64.21 1, 2020.

64.22 Sec. 20. **[243.95] PRIVATE PRISON CONTRACTS PROHIBITED.**

64.23 The commissioner may not contract with privately owned and operated prisons for the
64.24 care, custody, and rehabilitation of offenders committed to the custody of the commissioner.

64.25 **EFFECTIVE DATE.** This section is effective the day following final enactment.

64.26 Sec. 21. **[244.049] INDETERMINATE SENTENCE RELEASE BOARD.**

64.27 Subdivision 1. **Establishment; membership.** (a) The Indeterminate Sentence Release
64.28 Board is established to review eligible cases and make release decisions for inmates serving
64.29 indeterminate sentences under the authority of the commissioner.

64.30 (b) The board shall consist of five members as follows:

65.1 (1) four persons appointed by the governor from two recommendations of each of the
65.2 majority leaders and minority leaders of the house of representatives and the senate; and

65.3 (2) the commissioner of corrections who shall serve as chair.

65.4 (c) The members appointed from the legislative recommendations must meet the
65.5 following qualifications at a minimum:

65.6 (1) a bachelor's degree;

65.7 (2) five years of experience in corrections, a criminal justice or community corrections
65.8 field, rehabilitation programming, behavioral health, or criminal law; and

65.9 (3) demonstrated knowledge of victim issues and correctional processes.

65.10 Subd. 2. **Terms; compensation.** (a) Members of the board shall serve four-year staggered
65.11 terms except that the terms of the initial members of the board must be as follows:

65.12 (1) two members must be appointed for terms that expire January 1, 2022; and

65.13 (2) two members must be appointed for terms that expire January 1, 2024.

65.14 (b) A member is eligible for reappointment.

65.15 (c) Vacancies on the board shall be filled in the same manner as the initial appointments
65.16 under subdivision 1.

65.17 (d) Member compensation and removal of members on the board shall be as provided
65.18 in section 15.0575.

65.19 Subd. 3. **Quorum; administrative duties.** (a) The majority of members constitutes a
65.20 quorum.

65.21 (b) The commissioner of corrections shall provide the board with all other personnel,
65.22 supplies, equipment, office space, and other administrative services necessary and incident
65.23 to the discharge of the functions of the board.

65.24 Subd. 4. **Majority vote.** An inmate may not be placed on supervised release unless a
65.25 majority of the board members present vote in favor of the action.

65.26 Subd. 5. **Limitation.** Nothing in this section supersedes the commissioner's authority
65.27 to revoke an inmate's release for a violation of the inmate's terms of release or impairs the
65.28 power of the Board of Pardons to grant a pardon or commutation in any case.

65.29 Subd. 6. **Report.** On or before February 15 each year, the board shall submit to the
65.30 legislative committees with jurisdiction over criminal justice policy a written report detailing
65.31 the number of inmates reviewed and identifying persons granted release in the preceding
66.1 year. The report shall also include the board's recommendations for policy modifications
66.2 that influence the board's duties.

66.3 Sec. 22. Minnesota Statutes 2018, section 244.05, subdivision 1, is amended to read:

66.4 Subdivision 1. **Supervised release required.** (a) Except as provided in subdivisions 1b,
66.5 4, and 5, every inmate shall serve a supervised release term upon completion of the inmate's
66.6 term of imprisonment as reduced by any good time earned by the inmate or extended by
66.7 confinement in punitive segregation pursuant to section 244.04, subdivision 2. Except for
66.8 a sex offender conditionally released under Minnesota Statutes 2004, section 609.108,
66.9 subdivision 5, the supervised release term shall be equal to the period of good time the
66.10 inmate has earned, and shall not exceed the length of time remaining in the inmate's sentence.

66.11 (b) An inmate of a state correctional facility who is convicted of violating section 609.221,
66.12 609.222, 609.223, 609.2231, or 609.224 for assaulting an employee of the Department of
66.13 Corrections forfeits any good time earned prior to the assault conviction.

66.14 Sec. 23. Minnesota Statutes 2018, section 244.05, subdivision 1b, is amended to read:

66.15 Subd. 1b. **Supervised release; offenders who commit crimes on or after August 1,**
66.16 **1993.** (a) Except as provided in subdivisions 4 and 5, every inmate sentenced to prison for
66.17 a felony offense committed on or after August 1, 1993, shall serve a supervised release term
66.18 upon completion of the inmate's term of imprisonment and any disciplinary confinement
66.19 period imposed by the commissioner due to the inmate's violation of any disciplinary rule
66.20 adopted by the commissioner or refusal to participate in a rehabilitative program required
66.21 under section 244.03. The amount of time the inmate serves on supervised release shall be
66.22 equal in length to the amount of time remaining in the inmate's executed sentence after the
66.23 inmate has served the term of imprisonment and any disciplinary confinement period imposed
66.24 by the commissioner.

66.25 (b) No inmate who violates a disciplinary rule or refuses to participate in a rehabilitative
66.26 program as required under section 244.03 shall be placed on supervised release until the
66.27 inmate has served the disciplinary confinement period for that disciplinary sanction or until
66.28 the inmate is discharged or released from punitive segregation confinement, whichever is
66.29 later. The imposition of a disciplinary confinement period shall be considered to be a
66.30 disciplinary sanction imposed upon an inmate, and the procedure for imposing the
66.31 disciplinary confinement period and the rights of the inmate in the procedure shall be those
66.32 in effect for the imposition of other disciplinary sanctions at each state correctional institution.

67.1 (c) An inmate of a state correctional facility who is convicted of violating section 609.221,
67.2 609.222, 609.223, 609.2231, or 609.224 for assaulting an employee of the Department of
67.3 Corrections forfeits any good time earned prior to the assault conviction.

67.4 Sec. 24. Minnesota Statutes 2018, section 244.05, subdivision 5, is amended to read:

67.5 Subd. 5. **Supervised release, life sentence.** (a) Upon a majority vote of the board
67.6 members present, the commissioner of corrections board may, under rules promulgated by
67.7 the commissioner, give supervised release to an inmate serving a mandatory life sentence
67.8 under section 609.185, paragraph (a), clause (3), (5), or (6); 609.3455, subdivision 3 or 4;

67.9 609.385; or Minnesota Statutes 2004, section 609.109, subdivision 3, after the inmate has
67.10 served the minimum term of imprisonment specified in subdivision 4.

67.11 (b) The ~~commissioner~~ board shall require the preparation of a community investigation
67.12 report and shall consider the findings of the report when making a supervised release decision
67.13 under this subdivision. The report shall reflect the sentiment of the various elements of the
67.14 community toward the inmate, both at the time of the offense and at the present time. The
67.15 report shall include the views of the sentencing judge, the prosecutor, any law enforcement
67.16 personnel who may have been involved in the case, and any successors to these individuals
67.17 who may have information relevant to the supervised release decision. The report shall also
67.18 include the views of the victim and the victim's family unless the victim or the victim's
67.19 family chooses not to participate.

67.20 (c) The commissioner shall make reasonable efforts to notify the victim, in advance, of
67.21 the time and place of the inmate's supervised release review hearing. The victim has a right
67.22 to submit an oral or written statement at the review hearing. The statement may summarize
67.23 the harm suffered by the victim as a result of the crime and give the victim's recommendation
67.24 on whether the inmate should be given supervised release at this time. The ~~commissioner~~
67.25 board must consider the victim's statement when making the supervised release decision.

67.26 (d) When considering whether to give supervised release to an inmate serving a life
67.27 sentence under section 609.3455, subdivision 3 or 4, the ~~commissioner~~ board shall consider,
67.28 at a minimum, the following: the risk the inmate poses to the community if released, the
67.29 inmate's progress in treatment, the inmate's behavior while incarcerated, psychological or
67.30 other diagnostic evaluations of the inmate, the inmate's criminal history, and any other
67.31 relevant conduct of the inmate while incarcerated or before incarceration. The ~~commissioner~~
67.32 board may not give supervised release to the inmate unless:

67.33 (1) while in prison:

68.1 (i) the inmate has successfully completed appropriate sex offender treatment;

68.2 (ii) the inmate has been assessed for chemical dependency needs and, if appropriate, has
68.3 successfully completed chemical dependency treatment; and

68.4 (iii) the inmate has been assessed for mental health needs and, if appropriate, has
68.5 successfully completed mental health treatment; and

68.6 (2) a comprehensive individual release plan is in place for the inmate that ensures that,
68.7 after release, the inmate will have suitable housing and receive appropriate aftercare and
68.8 community-based treatment. The comprehensive plan also must include a postprison
68.9 employment or education plan for the inmate.

68.10 (e) As used in this subdivision:

68.11 (1) "board" means the Indeterminate Sentence Release Board under section 244.049;
68.12 and

68.13 (2) "victim" means the individual who suffered harm as a result of the inmate's crime
 68.14 or, if the individual is deceased, the deceased's surviving spouse or next of kin.

68.15 Sec. 25. Minnesota Statutes 2018, section 299C.091, subdivision 5, is amended to read:

68.16 Subd. 5. **Removal of data from system.** Notwithstanding section 138.17, the bureau
 68.17 shall destroy data entered into the system when three years have elapsed since the data were
 68.18 entered into the system, except as otherwise provided in this subdivision. If the bureau has
 68.19 information that the individual has been convicted as an adult, or has been adjudicated or
 68.20 has a stayed adjudication as a juvenile for an offense that would be a crime if committed
 68.21 by an adult, since entry of the data into the system, the data must be maintained until three
 68.22 years have elapsed since the last record of a conviction or adjudication or stayed adjudication
 68.23 of the individual-, except that if the individual is committed to the custody of the
 68.24 commissioner of corrections and the commissioner documents activities meeting the criminal
 68.25 gang identification criteria that take place while the individual is confined in a state
 68.26 correctional facility, the three-year period begins after release from incarceration. Upon
 68.27 request of the law enforcement agency that submitted data to the system, the bureau shall
 68.28 destroy the data regardless of whether three years have elapsed since the data were entered
 68.29 into the system.

69.1 Sec. 26. Minnesota Statutes 2018, section 631.412, is amended to read:

69.2 **631.412 SAME SEX ESCORT FOR INMATES BEING TRANSFERRED.**

69.3 (a) Except as provided in paragraph (b), when a sheriff or other correctional officer has
 69.4 custody of a person charged with or convicted of a crime and transfers that person more
 69.5 than 100 miles, that sheriff or other correctional officer shall provide the transferee with a
 69.6 custodial escort of the same sex as the transferee. A sheriff may employ, when the occasion
 69.7 exists, a suitable person to carry out this section. The expenses of the person's employment
 69.8 must be paid out of county funds not otherwise appropriated.

69.9 (b) A sheriff or other correctional officer is not required to provide a same sex escort if:
 69.10 (1) the vehicle used to transport the transferee has video and audio recording equipment
 69.11 installed; (2) the vehicle's video and audio recording equipment is operational and positioned
 69.12 to record the portion of the vehicle where the transferee is held during the transfer; and (3)
 69.13 the video and audio equipment records the duration of the transfer. A recording of an inmate
 69.14 transfer made under this paragraph must be maintained by the sheriff or agency employing
 69.15 the correctional officer for at least 12 months after the date of the transfer.

69.16 Sec. 27. **[641.015] PLACEMENT IN PRIVATE PRISONS PROHIBITED.**

69.17 Subdivision 1. **Placement prohibited.** After August 1, 2019, a sheriff shall not allow
 69.18 inmates committed to the custody of the sheriff to be housed in facilities that are not owned
 69.19 and operated by a local government or a group of local units of government.

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1.5 Section 1. Minnesota Statutes 2018, section 299C.091, subdivision 5, is amended to read:

1.6 Subd. 5. **Removal of data from system.** Notwithstanding section 138.17, the bureau
 1.7 shall destroy data entered into the system when three years have elapsed since the data were
 1.8 entered into the system, except as otherwise provided in this subdivision. If the bureau has
 1.9 information that the individual has been convicted as an adult, or has been adjudicated or
 1.10 has a stayed adjudication as a juvenile for an offense that would be a crime if committed
 1.11 by an adult, since entry of the data into the system, the data must be maintained until three
 1.12 years have elapsed since the last record of a conviction or adjudication or stayed adjudication
 1.13 of the individual-, except that if the individual is committed to the custody of the
 1.14 commissioner of corrections and the commissioner documents activities meeting the criminal
 1.15 gang identification criteria that take place while the individual is confined in a state
 1.16 correctional facility, the three-year period begins after release from incarceration. Upon
 1.17 request of the law enforcement agency that submitted data to the system, the bureau shall
 1.18 destroy the data regardless of whether three years have elapsed since the data were entered
 1.19 into the system.

69.20 Subd. 2. **Contracts prohibited.** The county board may not authorize the sheriff to
69.21 contract with privately owned and operated prisons for the care, custody, and rehabilitation
69.22 of offenders committed to the custody of the sheriff.

69.23 **EFFECTIVE DATE.** This section is effective the day following final enactment.

69.24 Sec. 28. **[641.061] LOCAL CORRECTIONAL OFFICERS DISCIPLINE**
69.25 **PROCEDURES.**

69.26 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in this
69.27 subdivision have the meanings given them.

69.28 (b) "Correctional officer" or "officer" means a person employed in a security capacity
69.29 by a local correctional or detention facility.

70.1 (c) "Exclusive representative" means an employee organization which has been certified
70.2 by the commissioner of the Bureau of Mediation Services to meet and negotiate with an
70.3 employer on behalf of all employees in the appropriate unit.

70.4 (d) "Formal statement" means the questioning of an officer in the course of obtaining a
70.5 recorded, stenographic, or signed statement to be used as evidence in a disciplinary
70.6 proceeding against the officer.

70.7 Subd. 2. **Applicability.** This section applies to local correctional authorities.

70.8 Subd. 3. **Formal statement; procedures.** A formal statement of a correctional officer
70.9 must be taken according to subdivisions 4 to 15.

70.10 Subd. 4. **Place of formal statement.** A formal statement must be taken at a facility of
70.11 the employing or investigating agency or at a place agreed to by the investigating individual
70.12 and the investigated correctional officer and exclusive representative.

70.13 Subd. 5. **Complaint.** A correctional officer's formal statement may not be taken unless
70.14 a written complaint signed by the complainant stating the complainant's knowledge is filed
70.15 with the employing or investigating agency and the correctional officer and exclusive
70.16 representative have been given a summary of the allegations.

70.17 Subd. 6. **Witnesses; investigative reports.** Upon request, the investigating agency or
70.18 the correctional officer shall provide the other party with a list of witnesses the agency or
70.19 correctional officer expects to testify at an administrative hearing or arbitration authorized
70.20 to recommend, approve, or order discipline and the substance of the testimony. A party is
70.21 entitled to copies of any witness statements in the possession of the other party and an officer
70.22 is entitled to a copy of the investigating agency's investigative report, provided that any
70.23 references in a witness statement or investigative report that would reveal the identity of
70.24 confidential informants need not be disclosed except for good cause shown upon order of
70.25 the person presiding over the administrative hearing or arbitration.

70.26 Subd. 7. **Sessions.** Sessions at which a formal statement is taken must be of reasonable
70.27 duration and must give the correctional officer reasonable periods for rest and personal
70.28 necessities. When practicable, sessions must be held during the correctional officer's regularly
70.29 scheduled work shift. If the session is not held during the correctional officer's regularly
70.30 scheduled work shift, the correctional officer must be paid by the employing agency at the
70.31 officer's current compensation rate for time spent attending the session. Notification of a
70.32 formal statement must also be provided to the correctional officer's exclusive representative
70.33 and the exclusive representative shall be allowed to be present during the session.

71.1 Subd. 8. **Record.** A complete record of sessions at which a formal statement is taken
71.2 must be made by electronic recording or otherwise. A complete copy or transcript must be
71.3 provided to the correctional officer and the officer's exclusive representative without charge
71.4 or undue delay. The session may be recorded by the investigating officer and by the
71.5 correctional officer under investigation.

71.6 Subd. 9. **Presence of attorney and union representative.** The correctional officer
71.7 whose formal statement is taken has the right to have a union representative or an attorney
71.8 retained by the officer, or both, present during the session. The correctional officer may
71.9 request the presence of a union representative, attorney, or both, at any time before or during
71.10 the session. When a request under this subdivision is made, no formal statement may be
71.11 taken until a reasonable opportunity is provided for the correctional officer to obtain the
71.12 presence of a union representative or attorney.

71.13 Subd. 10. **Admissions.** Before an officer's formal statement is taken, the officer shall
71.14 be advised in writing or on the record that admissions made in the course of the formal
71.15 statement may be used as evidence of misconduct or as a basis for discipline.

71.16 Subd. 11. **Disclosure of financial records.** No employer may require an officer to
71.17 produce or disclose the officer's personal financial records except pursuant to a valid search
71.18 warrant or subpoena.

71.19 Subd. 12. **Release of photographs.** No local correctional facility or governmental unit
71.20 may publicly release photographs of an officer without the written permission of the officer,
71.21 except that the facility or unit may display a photograph of an officer to a prospective witness
71.22 as part of an agency or unit investigation.

71.23 Subd. 13. **Disciplinary letter.** No disciplinary letter or reprimand may be included in
71.24 an officer's personnel record unless the officer has been given a copy of the letter or
71.25 reprimand.

71.26 Subd. 14. **Retaliatory action prohibited.** No officer may be discharged, disciplined,
71.27 or threatened with discharge or discipline as retaliation for or solely by reason of the officer's
71.28 exercise of the rights provided by this section.

71.29 Subd. 15. **Rights not reduced.** The rights of officers provided by this section are in
 71.30 addition to and do not diminish the rights and privileges of officers that are provided under
 71.31 an applicable collective bargaining agreement or any other applicable law.

72.1 Sec. 29. Minnesota Statutes 2018, section 641.15, subdivision 3a, is amended to read:

72.2 Subd. 3a. **Intake procedure; approved mental health screening.** (a) As part of its
 72.3 intake procedure for new prisoners inmates, the sheriff or local corrections shall use a mental
 72.4 health screening tool approved by the commissioner of corrections in consultation with the
 72.5 commissioner of human services and local corrections staff to identify persons who may
 72.6 have mental illness.

72.7 (b) Names of persons who have screened positive or may have a mental illness may be
 72.8 shared with the local county social services agency. The jail may refer an offender to county
 72.9 personnel of the welfare system, as defined in section 13.46, subdivision 1, paragraph (c),
 72.10 in order to arrange for services upon discharge and may share private data on the offender
 72.11 as necessary to:

72.12 (1) provide assistance in filling out an application for medical assistance or
 72.13 MinnesotaCare;

72.14 (2) make a referral for case management as provided under section 245.467, subdivision
 72.15 4;

72.16 (3) provide assistance in obtaining a state photo identification;

72.17 (4) secure a timely appointment with a psychiatrist or other appropriate community
 72.18 mental health provider;

72.19 (5) provide prescriptions for a 30-day supply of all necessary medications; or

72.20 (6) coordinate behavioral health services.

72.21 (c) Notwithstanding section 138.17, if an offender is referred to a government entity
 72.22 within the welfare system pursuant to paragraph (b), and the offender refuses all services
 72.23 from the entity, the entity must, within 15 days of the refusal, destroy all private data on
 72.24 the offender that it created or received because of the referral.

72.25 Sec. 30. **COORDINATED CRISIS RESPONSE PLAN.**

72.26 (a) By January 15, 2021, the commissioner of corrections shall develop and implement
 72.27 a coordinated crisis response plan to support facility, central office, and field services staff.

72.28 (b) In developing the response plan, the commissioner may consult with the Department
 72.29 of Corrections Office of Special Investigations, the Department of Corrections Victim
 72.30 Assistance Program, human resources offices, facility and field services administration,
 72.31 peer support programs, county attorneys, victim witness coordinators, community based
 72.32 victim advocates, the Crime Victim Reparations Board, employee assistance programs,

73.1 offices or organizations assisting with workers' compensation claims and benefits, mental
73.2 health services, central office administration, and supervisors.

73.3 (c) To increase support to staff in crisis, the coordinated crisis response plan shall, at a
73.4 minimum, include the following:

73.5 (1) a protocol establishing collaboration between the offices, services, and organizations
73.6 identified in paragraph (b);

73.7 (2) a process to develop and implement individualized support plans based on the
73.8 identified needs of staff members in crisis;

73.9 (3) identification or development of training on trauma-informed victim and crisis
73.10 response; and

73.11 (4) a plan to implement training on trauma-informed victim and crisis response including
73.12 initial training, refresher courses, and training for new employees.

73.13 Sec. 31. **PILOT PROGRAM TO ADDRESS MENTAL HEALTH IN**
73.14 **CORRECTIONAL FACILITIES.**

73.15 Subdivision 1. **Pilot program established.** The commissioner of corrections shall
73.16 establish and administer a pilot program in Minnesota Correctional Facility-Stillwater to
73.17 address mental health issues among correctional officers and inmates. The program shall
73.18 offer, at a minimum, support to correctional officers through skill refreshers, mental health
73.19 training and techniques, and mental health services. The program shall conduct, at a
73.20 minimum, mental health interventions for inmates and educate inmates on mental health
73.21 resources available to them. The pilot program is from July 1, 2019, to June 30, 2020.

73.22 Subd. 2. **Report.** By October 1, 2020, the commissioner shall report to the legislative
73.23 committees with jurisdiction over corrections on the impact and outcomes of the program.

73.24 Sec. 32. **REPEALER.**

73.25 Minnesota Statutes 2018, section 401.13, is repealed.