

CHAPTER 242

YOUTH CONSERVATION

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242.01 PURPOSE. The purpose of Minnesota Statutes, Chapter 242, is to protect society more effectively by providing a program looking toward prevention of delinquency and crime by educating the youth of the state against crime and by substituting for retributive punishment methods of training and treatment directed toward the correction and rehabilitation of young persons found delinquent or guilty of crime.

[1947 c 595 s 1; 1965 c 51 s 41]

COMMISSION

242.02 CREATION. There is hereby created a Youth Conservation Commission to provide and conduct a program looking toward the prevention of juvenile and youth delinquency and to provide and administer preventive and corrective training for persons committed to the commission.

[1947 c 595 s 1]

242.03 MEMBERS; QUORUM; CHAIRMAN AND DIRECTOR, DUTIES; COMPENSATION. The commission shall consist of six persons, including a deputy commissioner of corrections in control of and supervising the division of youth conservation, and five others, at least one of whom shall be a woman, appointed by the governor, with the consent of the senate. Four members shall constitute a quorum, except as otherwise provided in section 242.10. The deputy commissioner of corrections shall be the chairman and director of the commission. The chairman and director, may, with the approval of the commissioner of corrections, designate an officer of the department of corrections as deputy chairman to represent him as a voting member at meetings of the commission held for the purpose of section 242.10, and to perform ministerial duties as may be assigned by the chairman and director pursuant to section 242.10, subdivision 2. The director as deputy commissioner of corrections in control of and supervising the division of youth conservation shall be responsible for the administration and enforcement of sections 242.01 to 242.54 with the policy matters and decisions pertaining to the care, treatment, and disposition of persons committed to it determined by the commission. The deputy commissioner of corrections shall serve without additional compensation. All other members shall serve on a per diem basis.

[1947 c 595 s 1; 1949 c 575 s 1; 1951 c 383 s 1; 1955 c 261 s 1; 1959 c 263 s 11; 1961 c 624 s 1; 1965 c 526 s 1]

242.04 TERM OF OFFICE. The term of office of the appointed members of the commission shall be for six years except that the members serving under their initial appointment shall serve for the remainder of the terms for which they were respectively appointed. The woman initially appointed shall serve for a term expiring July 1, 1952. All appointments made thereafter, except to fill a vacancy, shall be for full term. A member is eligible for reappointment. A member shall hold office until the appointment and qualification of his successor.

[1947 c 595 s 1; 1949 c 575 s 1]

242.05 VACANCY. All appointments to a vacancy shall be made by the governor and shall be for the unexpired term. Each member shall hold office until the appointment and qualification of his successor.

[1947 c 595 s 1; 1965 c 45 s 13]

242.06 QUALIFICATION OF APPOINTEES. All persons appointed to the commission shall, in so far as possible, have legal and administrative ability, educational experience, and experience in the study of juvenile and youthful offenders, and in planning and conducting programs of prevention of juvenile and youth delinquency and crime and one shall be a juvenile court judge who is also a judge of probate. A person particularly well qualified for such appointment may be appointed, even though such person is not, at the time of the appointment, a resident of this state.

[1947 c 595 s 1]

242.07 COMPENSATION, EXPENSES. Each of the appointed members of the commission other than the director shall receive as compensation the sum of \$35 per day for each day actually spent in the discharge of official duties. In addition to the compensation so provided, each of the members of the commission shall be reimbursed for all expenses paid or incurred by him in the performance of his official duties.

[1947 c 595 s 1; 1949 c 575 s 1; 1951 c 713 s 28; 1971 c 663 s 1]

242.08 REMOVAL. The governor may remove any member of the commission who fails to properly discharge his responsibilities as a member of the commission. If requested by the member, the charges must be submitted in writing to such member and he shall be afforded an opportunity to be heard.

[1947 c 595 s 1]

242.09 COOPERATION; OTHER AGENCIES. The commissioner of public welfare, the commissioner of education, and the state board of health through its executive officer shall advise, cooperate with and assist the commission in carrying out the duties and responsibilities assigned to it by Minnesota Statutes, Chapter 242 and for these purposes they may attend meetings. Their facilities and services and those of other state agencies, particularly of the department of public welfare, shall be made available to the commission upon such terms as the governor may direct.

[1947 c 595 s 1; 1949 c 575 s 1; 1955 c 261 s 1; 1961 c 750 s 2]

242.10 POWERS; PROBATION, COMMITMENT, PAROLE. (1) Every order granting or revoking probation, committing to an institution, granting or revoking parole, or issuing final discharge to any person under the control of the commission shall be made by the commission. The commission may not delegate the making of such decisions to any other body or person. When the commission acts under this section, two members shall constitute a quorum.

(2) All other powers conferred on the commission may be exercised by the director or through his subordinates under rules established by the commission. Any person subjected to an order of the director or such subordinates may petition the commission for review.

[1947 c 595 s 1; 1949 c 575 s 1; 1951 c 383 s 2; 1953 c 33 s 1]

242.11 CERTIFICATE OF PREPARATION; FILING. No person may be committed to the commission until it has certified in writing to the secretary of state that it is prepared to discharge its duties and functions and has filed certified copies thereof in the office of the clerk of the district court and with the probate court in each county. Before such filing a judge of said courts shall deal with persons convicted of a crime or found delinquent without regard to the provisions of Minnesota Statutes, Chapter 242.

[1947 c 595 s 1; 1965 c 51 s 42]

242.12 DECLARATION OF MINORITY OF PRISONER; PROCEEDINGS NOT CRIMINAL. When in any criminal proceeding in a court of this state a person has been convicted of a felony or gross misdemeanor for which the judge has

power under section 242.13, to commit to the commission, the judge of that court shall determine whether the person was less than 21 years of age at the time of apprehension from which the criminal proceedings resulted. Proceedings in a juvenile court in respect to a juvenile are not criminal proceedings.

[1947 c 595 s 1]

242.13 PRISONER COMMITTED TO COMMISSION; PROBATION. After a certificate has been filed with the clerk of the district court of any county, as provided in section 242.11, and except as hereinafter provided, the district court of such county shall commit to the commission every person convicted of a felony or gross misdemeanor, who is found to be less than 21 years of age at the time of his apprehension and who is not sentenced to imprisonment for life, or in a county jail for 90 days or less, or to a fine only. This commitment shall be for the maximum term provided by law for the crime for which the person was convicted. Such clerk of district court shall deliver to the sheriff a warrant of commitment together with a certified copy thereof directing him to deliver such person to the director of the commission. Upon delivery of any such person, the director shall retain the certified copy and endorse his receipt upon the original which shall be filed in the court of commitment. In each such proceeding the court shall allow and order paid to the sheriff the sum of \$10 per day for each authorized assistant and disbursements for the travel, board, and lodging of such person, of himself, and authorized assistants. Upon such order the state auditor shall issue a warrant on the state treasurer for the payment thereof. Execution of sentence may be stayed by the court and the defendant placed on probation. This probation shall not be granted until an investigation and report shall have been made by the probation officer of the court, if there is one, otherwise to the extent that its facilities permit, by the commission concerning the advisability thereof; but the granting or denial and the terms of probation shall be within the discretion of the court. If probation is granted, the court in its discretion may place the defendant under the supervision of the commission, providing the commission consents. Otherwise, such probation may be granted pursuant to law without regard to chapter 242.

[1947 c 595 s 1; 1951 c 553 s 1; 1963 c 821 s 1; 1965 c 51 s 43; 1969 c 448 s 1]

242.14 PLACEMENT IN PENAL INSTITUTION PROHIBITED. The commission shall not have power by virtue of any commitment to it by a juvenile court, as authorized by section 260.185, to place such child in any penal institution.

[1947 c 595 s 1; 1951 c 553 s 2; 1959 c 698 s 1; 1961 c 750 s 3]

242.15 MINORS, IMPRISONMENT IN JAIL DISAPPROVED BY COMMISSION. A person who is convicted of a felony or gross misdemeanor and who is found to be less than 21 years of age at the time of apprehension, and a person who has been found delinquent by a juvenile court, may not be imprisoned by virtue thereof in any jail which has been disapproved for that purpose by the commission.

[1947 c 595 s 1]

242.16 COMMITMENT, MINOR DETAINED. When a court commits a person to the commission, such court shall order the sheriff of the county of commitment to convey such person forthwith to some place of detention approved or established or designated by the commission or may direct that he be left at liberty until otherwise ordered by the commission under such conditions as will insure his submission to any orders of the director.

[1947 c 595 s 1; 1951 c 459 s 1]

242.17 CERTIFIED COPY, WARRANT OF COMMITMENT. When a court commits a person to the commission it shall promptly forward to the commission a certified copy of the warrant of commitment.

[1947 c 595 s 1]

242.18 STUDY OF OFFENDER'S BACKGROUND; TREATMENT POLICY. When a person has been committed to the commission, the commission under its rules shall forthwith examine and study him and investigate all of the pertinent circumstances of his life and the antecedents of the crime because of which he has been committed to it, and thereupon order such treatment as it shall determine to be most conducive to the accomplishment of the purposes of Minnesota Statutes, Chapter 242. The court and the prosecuting and police authorities and other public officials shall make available to the commission all pertinent data in their possession in respect to the case.

[1947 c 595 s 1; 1961 c 750 s 4]

242.19 METHODS OF CONTROL. When a person has been committed to the commission it may

(a) place him on probation under such supervision and conditions as it believes conducive to law abiding conduct;

(b) if he has been committed to the commission upon conviction of a felony or gross misdemeanor, order his confinement to such reformatory, state prison, jail or other place of confinement to which he might have been sentenced by the court in which he was convicted except for chapter 242. Such reformatories, state prisons, jails or other places of confinement are hereby required to accept such persons in like manner as though they had been committed by such court;

(c) if he has been committed to the commission by a juvenile court upon a finding of his delinquency, order his confinement to the state training school for boys or the Minnesota home school and such schools shall accept such persons so committed to them, or to a group foster home under the control of the commissioner of corrections, or to private schools or institutions established by law or incorporated under the laws of this state that may care for delinquent children;

(d) order his release on parole from confinement under such supervision and conditions as it believes conducive to law-abiding conduct;

(e) order reconfinement or renewed parole as often as commission believes to be desirable;

(f) revoke or modify any order, except an order of discharge, as often as the commission believes to be desirable;

(g) discharge him from its control when it is satisfied that such discharge is consistent with the protection of the public;

(h) if it finds him eligible for probation or parole, and it appears from the commission's investigation that conditions in the home of his parents or guardian are not conducive to law-abiding conduct, refer the child, together with its findings, to a county welfare board or a licensed child placing agency for placement in foster care or when appropriate, for initiation of dependency or neglect proceedings as provided in sections 260.011 to 260.301. The commission shall reimburse county welfare boards for foster costs it incurs for such children while on probation or parole to the extent that funds for this purpose are made available to the commission by the legislature.

[1947 c 595 s 1; 1949 c 575 s 1; 1953 c 353 s 1; 1959 c 631 s 1; 1961 c 750 s 5; 1969 c 413 s 1]

242.20 TRAINING. As a means of correcting the socially harmful tendencies of a person committed to it, the commission may, subject to the provisions of section 242.24, require participation by him in vocational, physical, educational and corrective training and activities and such conduct and modes of life as seem best adapted to fit him for return to full liberty without danger to the public welfare. The commission may receive money from the sale of articles made by a person committed to it and expend such money so received for the purchase of materials to be made into other articles for sale.

[1947 c 595 s 1; 1953 c 352 s 1]

242.21 COOPERATION; STATE INSTITUTIONS, LOCAL POLICE OFFICERS. The commissioner of corrections may enter into agreement with the commissioner of public welfare, the adult corrections commission, with local probation officers or other public officials and with public or private agencies, schools or institutions, for custody, separate care, special treatment, or diagnostic services of persons subject to the control of the commission. The commissioner of corrections may pay any costs incurred by such agreements to the extent that funds for such purposes are made available to the commissioner by the legislature.

[1947 c 595 s 1; 1949 c 575 s 1; 1955 c 261 s 1; 1959 c 263 s 3; 1969 c 280 s 1]

242.22 LOCAL PROBATION OFFICER; POWERS, DUTIES. Any person committed to the commission from a county having a probation officer of a district or juvenile court may be placed on probation by the commission under the supervision of such probation officer who shall assume such supervision as though it were pursuant to a judgment or order of the district or juvenile court. Such probation officer shall cooperate with the commission in providing treatment for such person consistent with the purposes of Minnesota Statutes, Chapter 242, but nothing therein shall give the commission direction or control over such probation officer or require him or his subordinates to perform duties not otherwise required by law. If parole is granted by the commission to such person after confinement to a penal in-

stitution or after commitment to the state training school for boys or the Minnesota home school, the parole may be conditioned on like supervision with the consent of the district or juvenile court respectively of such county.

[1947 c 595 s 1; 1951 c 459 s 2; 1961 c 750 s 6; 1969 c 9 s 108]

242.23 INSTITUTIONAL FACILITIES, INSPECTION. The commission may inspect all public institutions, agencies and departments whose facilities it is authorized to utilize and shall be given reasonable opportunity to examine or consult with persons committed to the commission at all times.

[1947 c 595 s 1]

242.24 LIMITATION, POWERS OF COMMISSION. Minnesota Statutes, Chapter 242 shall not be construed to give the commission control over existing facilities, institutions or agencies; or to require them to serve the commission inconsistently with their functions, or with the authority of their officers, or with the laws and regulations governing their activities.

[1947 c 595 s 1; 1961 c 750 s 7]

242.25 RE-EXAMINATIONS, PERSONS COMMITTED. The director shall make periodic re-examinations of all persons under control of the commission for the purpose of determining whether existing orders in individual cases should be modified or continued in force. Those examinations may be made as frequently as the commission directs and shall be made with respect to every person at least once annually.

[1947 c 595 s 1]

242.26 CESSATION OF JURISDICTION. The control over a person committed to the commission in a criminal proceeding shall cease at the expiration of the term of his sentence for the crime for which convicted and he shall thereupon be entitled to a discharge in any event whether on probation, parole, confinement or other order of the commission. The care, custody and control of any delinquent child who has been committed to the commission by a juvenile court shall cease on the twenty-first birthday of such child.

[1947 c 595 s 1; 1949 c 575 s 1; 1965 c 45 s 14]

242.265 TRANSFER TO ADULT CORRECTIONS COMMISSION. The commission may transfer to the adult corrections commission control over any person committed to its control who has attained the age of 21 years and who (1) is convicted of a felony committed while on probation under supervision of a person other than the probation officer of a district court or while on parole, or (2) is confined in a correctional institution by reason of a violation of parole. Upon such transfer the adult corrections commission shall thereupon assume control over the person in accordance with the judgment of the convicting court in the case of a transfer pursuant to clause (1), or as if the person had been sentenced by a court to the maximum term provided by law for the crime for which he was committed to the youth conservation commission in the case of a transfer pursuant to clause (2).

[1967 c 717 s 2]

242.27 DISCHARGE. Unless previously discharged or transferred to the adult corrections commission under the provisions of chapter 242, a person who has been committed to the commission upon conviction of a crime shall be discharged by the director and be given his liberty on his twenty-fifth birthday, unless the commission shall determine that such discharge at that time would be dangerous to the public in which event the commission shall terminate its control in the following manner:

(1) If he be then on probation under the supervision of the probation officer of a district court, the future control and disposition of the case shall be in all respects as though such probation were under the order of said court.

(2) If he be then on probation, but not under the supervision of a local probation officer, or if he be on parole, control of him shall be transferred to the adult corrections commission who shall thereupon assume like control over him as though he were on parole following sentence of a court of a maximum term provided by law for the crime for which he was committed.

(3) If he be then confined in a penal institution, the control of the commission shall cease and such confinement shall be upon like terms and conditions as though it had been under sentence of court for the maximum term provided by law for the crime for which he was committed.

[1947 c 595 s 1; 1955 c 261 s 1; 1961 c 750 s 8; 1967 c 717 s 1]

242.28 IMPRISONMENT FOR LIFE; ASSUMPTION OF CONTROL. If a sentence of imprisonment for life is imposed upon a person who was under 21 years of age at the time of his apprehension, and if before he reaches the age of 25 the board of pardons commutes the sentence by committing him to the commission, the commission shall assume control over him pursuant to the provisions of Minnesota Statutes, Chapter 242.

[1947 c 595 s 1; 1961 c 750 s 9]

242.29 PROBATE COURT PROCEEDINGS; INSANITY, PSYCHOPATHIC PERSONALITY. Whenever the director is of the opinion that there are grounds for believing that a person committed to the commission is insane, or a psychopathic personality, as defined in Minnesota Statutes, Section 526.09, the director may institute proceedings in the probate court of the county in which such person then resides or is confined to determine whether he is insane or a psychopathic personality. If the court shall so find, he shall be transferred by the order of the court to the Minnesota security hospital or to a state hospital for the insane at the discretion of the court, there to be kept and maintained as in the case of other insane persons. If, in the judgment of the superintendent of the asylum or hospital, his sanity is restored before the period of his commitment to the commission has expired, he shall be returned by the commissioner of public welfare to the commission for further disposition or treatment under Minnesota Statutes, Chapter 242.

[1947 c 595 s 1; 1957 c 196 s 1; 1961 c 750 s 10]

242.30 APPEAL, STAY OF SENTENCE. The right of a person convicted of a crime to a new trial or to an appeal from the judgment of conviction or to a stay of sentence or to admission to bail is not affected by Minnesota Statutes, Chapter 242.

[1947 c 595 s 1; 1961 c 750 s 11]

242.31 RESTORATION OF CIVIL RIGHTS. Whenever a person committed to the commission upon conviction of a crime is discharged from its control other than by expiration of the maximum term of commitment as provided in Minnesota Statutes, Chapter 242, or by termination of its control under the provisions of section 242.27, such discharge shall, when so ordered by the commission, restore such person to all civil rights and shall have the effect of setting aside the conviction and nullifying the same and of purging such person thereof. The commission shall file a copy of the order with the district court of the county in which the conviction occurred, whereupon the court shall order the conviction set aside.

Whenever a person has been placed on probation by the court pursuant to section 242.13 and, after satisfactory fulfillment thereof, is discharged therefrom, the court, on application of the defendant or on its own motion and after notice to the county attorney, in its discretion may likewise so order.

Such orders restore the defendant to his civil rights and purge and free him from all penalties and disabilities arising from such conviction and it shall not thereafter be used against him, except in a criminal prosecution for a subsequent offense if otherwise admissible therein.

[1947 c 595 s 1; 1961 c 59 s 1; 1965 c 52 s 1]

242.32 CONSTRUCTIVE PROGRAMS; COOPERATION, OTHER AGENCIES. The commission shall be charged with the duty of developing constructive programs for the prevention and decrease of delinquency and crime among youth and to that end shall cooperate with existing agencies and encourage the establishment of new agencies, both local and state-wide, having as their object the prevention and decrease of delinquency and crime among youth; and the commission shall assist local authorities of any county or municipality when so requested by the governing body thereof, in planning, developing and coordinating their educational, welfare, recreational and health activities or other constructive community programs, which have as their object the conservation of youth.

[1947 c 595 s 1]

242.33 ANNUAL REPORT TO GOVERNOR, RECOMMENDATIONS. The commission shall report annually to the governor upon its work including therein the number of persons committed to it, the number upon probation or parole, the number confined by it in penal or other institutions of the state, such information as it may have as to the causes of crime and delinquency among youth, and such other information relative to its activities as it may consider desirable or useful to the public. It may include in such report recommendations and sugges-

tions for the prevention or decrease of such delinquency and crime. These reports may be published by the commission and upon publication they shall become public records.

[1947 c 595 s 1]

242.34 RETAKING ABSCONDING PERSON. The written order of the director is authority to any peace officer, or to any parole or probation officer or other supervising agent of the commission, to retake and place in actual custody any person under the control of the commission; but any such parole or probation officer may, without order or warrant, when it appears to him necessary in order to prevent the escape or to enforce discipline, take and detain such person and present him before the director for his action.

[1947 c 595 s 1]

242.35 RULES. The commission may make and shall enforce all rules appropriate to the proper accomplishment of its functions.

[1947 c 595 s 1]

242.36 ORDER OF COMMITMENT, REVIEW. (1) Within 30 days from the date of notice in writing of any order made pursuant to section 242.10, clause (1), or section 242.19, or of any order terminating its control made pursuant to section 242.27 after an examination as therein provided, any person who has been committed to the commission after conviction of a felony or gross misdemeanor, may request the commission in writing to conduct a hearing of record for the review of any such order.

(2) If the commission grants the request, it shall hold a full hearing of record, allowing the person opportunity to appear with counsel, and thereafter the commission shall issue a final order affirming, modifying, or rescinding its prior order.

(3) Upon application to the committing district court made by the person affected by the final order within 30 days from the date of written notice thereof, the committing district court only may review such final order. Such review shall be in like manner as though reviewed by certiorari, except that the trial shall be de novo upon the return of the commission and such other evidence as may be received by the court. Nothing herein shall prohibit the commission from making such investigation and orders to carry out the purposes of Minnesota Statutes, Chapter 242.

(4) The final order shall remain in full force and effect until reversed by the committing district court, and if appeal is taken to the supreme court, until that court makes its final order.

[1949 c 575 s 1; 1965 c 51 s 44]

242.37 CONSERVATION CAMPS. (1) The commission may establish and operate conservation camps in which persons committed to the commission may be placed. Such camps may be established independently or in cooperation with any other public agency or any governmental subdivision, subject to the approval of such agency or subdivision as to any camp or project to the extent that its premises or operations are affected.

(2) Every able-bodied person committed to the commission and confined to a conservation camp established pursuant to this section or to any other place or institution under the control of the commission may be required by order of the commission to labor during the whole or some part of the time for which he is so committed and confined, but not more than eight hours per day. The commission is authorized and empowered to provide for the payment of such compensation as it may determine to persons so confined who perform labor as hereinabove provided. Any money arising hereunder shall be and remain under control of the commission and shall be for the sole benefit of the person performing the labor unless it shall be used for rendering assistance to his family or dependents or in making restitution to persons determined by the commission to be entitled thereto, in either event payments shall be made only in such amount, at such time and to such persons as the commission may order in writing.

[1949 c 575 s 1]

242.375 SUPERINTENDENTS, COMPENSATION IN ADDITION TO SALARY. Whenever the youth conservation commission shall, by order, assign an employee of the commission as a superintendent of any institution or camp, in which wards of the commission are kept and such superintendent is required to live at the in-

stitution or camp, he shall be entitled to his residence, subsistence and maintenance in addition to his salary.

[1957 c 894]

242.38 CUSTODY OF WARDS' FUNDS. The youth conservation commission shall have the care and custody of all moneys belonging to wards thereof which may come into its hands, keep accurate accounts thereof, and pay them out under rules and regulations prescribed by law, or by the commission, taking vouchers therefor. The officer charged with the custody of such funds shall give a bond in such amount as the commission may require, conditioned to safely keep and account for such funds. All such moneys received by any officer or employee shall be paid to the person having charge of such funds forthwith. Such officer, at the close of each month, or oftener if required by the commission, shall forward to the commission a statement of the amount of all moneys so received and the names of the wards from whom received, accompanied by his check for the amount, payable to the state treasurer. On receipt of such statement, the commission shall transmit the same to the state auditor, together with such check, who shall deliver the same to the state treasurer. Upon the payment of such check, the amount shall be credited to a fund to be known as "youth conservation ward fund." All such funds shall be paid out by the state treasurer upon vouchers duly approved by the commission as in other cases. The commission may permit a contingent fund to remain in the hands of the officer charged with the custody of such funds from which necessary expenditures may from time to time be made.

There is hereby appropriated to the persons entitled to a payment authorized in sections 242.37 to 242.38, from a fund or account in the state treasury to which the money was credited, an amount sufficient to make such payment.

[1953 c 351 s 1; 1957 c 674; 1959 c 158 s 15]

242.385 RECEPTION AND DIAGNOSTIC CENTER. Subdivision 1. **Establishment, location, control.** There is hereby established the Youth Conservation Commission Reception and Diagnostic Center, to be located within twenty-five (25) miles of the Minneapolis campus of the University of Minnesota, to which shall be delivered for diagnostic services all children and youth committed to the youth conservation commission by the district and juvenile courts of this state, or placed therein as provided in sections 260.151 and 260.175. When circumstances so warrant the commissioner of corrections shall provide and set aside suitable space at any institution under the control of the commissioner to be used by the commission as an annex to such reception and diagnostic center. The commission may also utilize the facilities of the center for those persons committed to its care who are found to be in need of intensive specialized care. The general control and management of the reception and diagnostic center shall be under the commissioner of corrections.

Subd. 2. Acquisition of site. The commissioner of administration is directed to acquire by purchase, or condemnation, a suitable tract of land for the location of the center, and to prepare plans and specifications for the construction of such center.

[1957 c 956 s 1, 2; 1969 c 502 s 1]

242.386 RECEPTION AND DIAGNOSTIC CENTER, DELIVERY OF CHILDREN AND YOUTHS. Notwithstanding any provisions to the contrary in Minnesota Statutes 1965, Section 242.385, children and youths committed to the youth conservation commission by any juvenile court need not be delivered or sent to the youth conservation commission reception and diagnostic center.

[1967 c 741 s 24; 1969 c 1136 s 21]

STATE TRAINING SCHOOLS; BOYS, GIRLS

242.41 RED WING, MANAGEMENT. The state training school for boys shall be continued at its present site at Red Wing in the county of Goodhue and be under the general management of the Youth Conservation Commission.

[R L s 1905; 1949 c 561 s 2] (4470)

242.42 [Repealed, 1965 c 45 s 73]

242.43 YOUTH CONSERVATION COMMISSION, DUTIES. It shall be the duty of the Youth Conservation Commission to receive, clothe, maintain, and instruct, at the expense of the state, all infants duly committed, as herein provided, to the training school and keep them in its custody until their arrival at the age of 21 years unless sooner discharged, apprenticed, paroled, placed on probation, or transferred; and the Youth Conservation Commission may in its discretion place any of these children, until their arrival at 18 years of age, in suitable homes, or

bind them out as apprentices to such persons at such places, and to learn such trades or employment as in its judgment will be most conducive to their reformation and amendment and tend to the future benefit and advantage of the infants. When a similar separate institution for girls shall be established and opened by the state, girls between the ages aforesaid may be committed to and detained therein in like manner and upon the same conditions as herein provided. The Youth Conservation Commission may discharge any child so committed, or may recall to the school at any time any child placed out, apprenticed, paroled, placed on probation, or transferred; and, upon such recall, may resume the care and control thereof. The discharge of a child by the Youth Conservation Commission shall be a complete release from all penalties and disabilities created by reason of the commitment or sentence.

Upon the parole or discharge of any inmate of the state training school for boys or the Minnesota home school, the director of the Youth Conservation Commission may pay to each inmate released an amount of money not exceeding the sum of \$10. All such payments shall be made from the current expense fund of the institution.

[1905 c 233 s 7; 1949 c 561 s 3; 1953 c 353 s 2; 1953 c 354 s 1; 1969 c 9 s 108] (4472)

242.44 PUPILS. The Youth Conservation Commission, so far as the accommodations of the institution and the means at its disposal will permit, shall receive under its care and guardianship, and keep during their minority, or until apprenticed, placed in homes, or discharged, all infants so committed. It may place such infant, during his minority, at such employment, and cause him to be instructed in such branches of useful knowledge, as may be suitable to his years and capacity, and may place him in a suitable home, or bind him as apprentice to learn such trade or employment as will in its judgment be for the child's best advantage; and, under such rules as it may prescribe, when deemed best for such infant, it may parole or discharge the child from the institution. All pupils in the school shall be clothed, instructed, and maintained by the Youth Conservation Commission at the expense of the state.

[R L s 1907; 1949 c 260 s 1; 1949 c 561 s 4] (4473)

242.45 INFANTS COMMITTED BY UNITED STATES COURTS. The Youth Conservation Commission shall receive into its custody and under its guardianship and keep until duly discharged all infants within the prescribed ages committed to the training school by order of any court of the United States within the state for offenses committed against the laws of the United States, and for the support of which infants the United States shall undertake to pay 50 cents each per day.

[R L s 1908; 1909 c 122 s 1; 1949 c 561 s 5] (4474)

242.46 PROBATION AND PAROLE SERVICES. Subdivision 1. The commissioner of corrections may appoint agents, who shall be in the classified service of the state civil service, and who shall perform such probation and parole services for persons committed to the youth conservation commission and such other duties as the commissioner may require. In the performance of their duties they shall have the general powers of a peace officer.

Subd. 2. The division of youth conservation of the department of corrections shall provide probation and parole services to all persons committed to it who are resident in any county of more than 100,000 population.

Subd. 3. The division of youth conservation shall provide probation services to juvenile courts in counties that request it or as required by Minnesota Statutes, Section 260.311; it shall in cooperation with the judges concerned provide supervision to probation officers in all counties of not more than 100,000 population, in order to insure high uniform standards of operation. The costs of administrative and supervisory services shall be borne by the state. The commissioner shall give newly employed probation and parole agents appropriate orientation training and shall provide systematic inservice training to all such agents thereafter, and for that purpose may assign agents to appropriate short courses at the university of Minnesota and necessary conferences and meetings held within the state.

[R L s 1909; 1917 c 343 s 2; 1949 c 561 s 6; 1959 c 698 s 2; 1961 c 430 s 1; 1961 c 750 s 12 subd 1] (4475)

242.47 INTERFERENCE WITH INMATES. Every person who shall abduct, conceal, entice, carry away, or improperly interfere with, any inmate of the state training school for boys shall be guilty of a misdemeanor.

[R L s 1910] (4476)

242.48 NO ROADS OR STREETS THROUGH GROUNDS. No individual, co-partnership, or corporation, public or private, shall lay out, construct, or open any road or street upon or through any grounds of the state training school for boys without the consent of the Youth Conservation Commission.

[*R L s 1912; 1949 c 561 s 7*] (4477)

242.51 MINNESOTA HOME SCHOOL; COMMITMENT. There is hereby created and established a separate school for the care, training, and education of girls and certain selected boys to be known as the "Minnesota Home School". The provisions of chapter 242 and other applicable laws providing for the commitment of children to the youth conservation commission shall govern and regulate the commitment of girls and such selected boys to the school hereby established. All girls committed under any law relating to the commitment of girls to the state training schools shall be committed to the "Minnesota Home School" hereby created and established.

[*1907 c 282 s 1; 1911 c 3 s 1; 1967 c 574*] (4478)

242.52 GIRLS ADMITTED, AGE LIMITS. Any girl over the age of eight and under the age of 18 years found guilty of any crime or offense for which, prior to the passage of this section, such girl, but for the fact that she was over 17 years of age, could have been lawfully committed to the Minnesota home school, may be committed to the school.

[*1915 c 293 s 1; 1969 c 9 s 108*] (4479)

242.53 MINNESOTA HOME SCHOOL, CONTROL. The financial control and the general supervision of the Minnesota home school is vested in the youth conservation commission and it is hereby vested with power and authority to appoint a superintendent and such other officers and employees as it may deem necessary and proper for the due administration of the affairs of the school, prescribe their duties, and fix the compensation of the officers and employees other than the superintendent, subject to the civil service provisions. It is hereby vested with power and authority to make and establish such rules and regulations for the government and management of the school and for the education, employment, training, discipline, and safe-keeping of the inmates thereof as may be deemed by it to be expedient and proper.

[*1907 c 282 s 5; 1949 c 561 s 8; 1951 c 713 s 25; 1957 c 422; 1969 c 9 s 108*] (4483)

242.54 POWERS AND DUTIES IMPOSED UPON COMMISSION. Subdivision 1. All powers and duties respecting children committed to the state training school for boys and the Minnesota home school heretofore vested in or imposed upon the state director of public institutions, the state board of parole, the director of social welfare, or any other agency of the state except the Youth Conservation Commission, under sections 242.43, 242.44, 256.01, and 256.04, and acts supplemental thereto, or any other provision of law, are hereby transferred to, vested in, and imposed upon the Youth Conservation Commission.

Subd. 2. All unexpended appropriations made to any agency of the state except the Youth Conservation Commission for any of the purposes mentioned in this section, together with all records, equipment, and other property pertaining to such purposes in the hands of such other agency, are hereby transferred to the Youth Conservation Commission.

Subd. 3. The director of public institutions shall transfer to the Youth Conservation Commission any and all employees engaged in the exercise of any of the functions, powers or duties transferred by Laws 1949, Chapter 561, without affecting in any manner any right which they may have under the state civil service act, including seniority within the institution in which they are employed.

[*1941 c 356; 1949 c 561 s 9; 1969 c 9 s 108*]