

CORRECTIONS BOARD; YOUTH 242.18

CHAPTER 242. CORRECTIONS BOARD; YOUTH

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242.01 [Repealed, 1977 c 392 s 14]

242.02 [Repealed, 1977 c 392 s 14]

242.03 [Repealed, 1977 c 392 s 14]

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 commissioner of corrections in carrying out the duties and responsibilities assigned by this chapter, and for these purposes 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 commissioner of corrections upon the terms the governor directs.

[1977 c 392 s 1]

242.10 Hearing officers, powers; probation, commitment, parole.

(3) The commissioner of corrections may designate from among the members of his staff, one or more hearing officers and delegate to them the authority to grant or revoke probation, commit to an institution, grant or revoke parole, or issue final discharge to any person under the control of the commissioner pursuant to a commitment to him by a juvenile court of this state. Any person aggrieved by an order issued by a hearing officer may appeal to the commissioner or to a review panel established by the commissioner within his department pursuant to rules issued by the commissioner.

[1977 c 392 s 2]

242.12 [Repealed, 1977 c 392 s 14]

242.13 [Repealed, 1977 c 392 s 14]

242.14 Placement in penal institution prohibited.

The commissioner of corrections shall not have power by virtue of any commitment to him by a juvenile court, as authorized by section 260.185, to place a child committed to him in a penal institution.

[1977 c 392 s 3]

242.15 [Repealed, 1977 c 392 s 14]

242.16 [Repealed, 1977 c 392 s 14]

242.17 [Repealed, 1977 c 392 s 14]

242.18 Study of offender's background; rehabilitation policy.

When a person has been committed to the commissioner of corrections, the commissioner under his rules shall forthwith cause him to be examined and studied, and investigate all of the pertinent circumstances of his life and the antecedents of the crime or other delinquent conduct because of which he has been committed to the commissioner, and thereupon order the treatment he determines to be most conducive to rehabilitation. Persons convicted of crimes shall not be detained in institutions for adjudicated delinquents, nor shall delinquent children be detained

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in institutions for persons convicted of crimes. The court and the prosecuting and police authorities and other public officials shall make available to the board and the commissioner of corrections all pertinent data in their possession in respect to the case.

[1977 c 392 s 4]

242.19 Methods of control.

Subdivision 1. [Repealed, 1977 c 392 s 14]

[For text of subd 2, see M.S.1976]

242.25 [Repealed, 1977 c 392 s 14]

242.26 [Repealed, 1977 c 392 s 14]

242.27 [Repealed, 1977 c 392 s 14]

242.28 [Repealed, 1977 c 392 s 14]

242.29 [Repealed, 1977 c 392 s 14]

242.30 [Repealed, 1977 c 392 s 14]

242.31 Restoration of civil rights.

Subdivision 1. Whenever a person who has been committed to the commissioner of corrections upon conviction of a crime following reference for prosecution under the provisions of section 260.125 is finally discharged from his control by order of the Minnesota corrections board, that discharge shall restore that person to all civil rights and, if so ordered by the Minnesota corrections board, also shall have the effect of setting aside the conviction, nullifying the same and of purging that person thereof. The Minnesota corrections board 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.

Subd. 2. Whenever a person described in subdivision 1 has been placed on probation by the court pursuant to section 609.135 and, after satisfactory fulfillment thereof, is discharged from probation, the court shall issue an order of discharge pursuant to section 609.165. On application of the defendant or on its own motion and after notice to the county attorney, the court in its discretion may also order that the defendant's conviction be set aside with the same effect as such an order under subdivision 1.

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

Subd. 3. The Minnesota corrections board shall file a copy thereof with the district court of the county in which the conviction occurred, whereupon the court shall order the conviction set aside and all records pertinent to the conviction sealed. These records shall only be reopened in the case of a judicial criminal proceeding thereafter instituted.

The term "records" shall include but is not limited to all matters, files, documents and papers incident to the arrest, indictment, information, complaint, trial, appeal, dismissal and discharge, which relate to the conviction for which the order was issued.

[1977 c 392 s 5]

242.33 [Repealed, 1977 c 392 s 14]

242.34 [Repealed, 1977 c 392 s 14]

242.35 [Repealed, 1977 c 392 s 14]

242.36 [Repealed, 1977 c 392 s 14]

242.38 [Repealed, 1977 c 392 s 14]

242.46 Probation services; juvenile courts.

Subdivision 1. [Repealed, 1977 c 392 s 14]

Subd. 2. [Repealed, 1977 c 392 s 14]

Subd. 3. The commissioner shall provide probation services to juvenile courts

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in counties that request it or as required by section 260.311. He shall cooperate with the judges to provide supervision to probation officers in all counties of not more than 200,000 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 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.

[1977 c 392 s 6]

CHAPTER 243. CORRECTIONS BOARD; ADULTS

Sec.
243.23 Compensation paid to inmates.

Sec.
243.465 Diversified labor accounts. [New]

243.23 Compensation paid to inmates.

Subdivision 1. Notwithstanding any law to the contrary, the commissioner of corrections may provide for the payment to inmates of correctional institutions under his management and control any pecuniary compensation he deems proper, the amount of compensation to depend upon the quality and character of the work performed as determined by the commissioner of corrections and the warden or superintendent. Inmates who because of illness or physical disability cannot work may be paid a minimal amount per day as determined by the commissioner. These earnings shall be paid out of the fund provided for the carrying on of the work in which the inmate is engaged when employed on state account, or from the current expense fund of the institution as the commissioner of corrections determines.

Subd. 2. The commissioner may promulgate rules requiring the inmates of adult correctional institutions under his control to pay all or a part of the cost of their board, room, clothing, medical, dental and other correctional services. These costs are payable from any earnings of the inmate, including earnings from private industry established at state correctional institutions pursuant to section 243.88.

Subd. 3. Notwithstanding sections 241.01, subdivision 8, 241.26, subdivision 5, and 243.24, subdivision 1, the commissioner shall promulgate rules for the disbursement of funds earned under subdivision 1 for the support of families and dependent relatives of the respective inmates, and for the discharge of any legal obligations arising out of litigation under this subdivision. An inmate of an adult correctional institution under the control of the commissioner is subject to actions for the enforcement of support obligations and reimbursement of any public assistance rendered the dependent family and relatives. The commissioner may conditionally release an inmate who is a party to an action under this subdivision and provide for his detention in a local detention facility convenient to the place of the hearing when he is not engaged in preparation and defense.

[1977 c 392 s 7]

243.465 Diversified labor accounts.

Money received in payment for the services of inmate labor employed in the industries carried on at the state reformatory, state reformatory for women, and state prison is appropriated to the commissioner of corrections to be added to the current expense funds of these institutions. The commissioner of corrections may set aside a portion of the current expense fund of any state institution to be used as a diversified labor account for the introduction and encouragement of industries that in his judgment may be beneficial to the inmates of the institutions.

[1977 c 410 s 18]