

CHAPTER 243

CORRECTIONS BOARD; ADULTS

243.05	Board; powers, limitations.	243.515	Transfer under treaty.
243.06	Repealed.	243.57	Contagious disease; removal of inmates.
243.20	Discharge; clothing; money.	243.58	Reward for escaped inmate.
243.211	Unauthorized communication with prisoners.	243.64	Sale of land acquired in collection of a debt for articles manufactured or processed by correctional industries.
243.22	Repealed.	243.78	Repealed.
243.25	Repealed.	243.87	Goods made for national defense.
243.26	Repealed.		
243.465	Diversified labor accounts.		

243.05 BOARD; POWERS, LIMITATIONS.

The corrections board may parole any person sentenced to confinement in any state correctional facility for adults under the control of the commissioner of corrections, provided that:

(a) no inmate serving a life sentence for murder other than murder committed in violation of clause (1) of section 609.185 who has not been previously convicted of a felony shall be paroled until he has served 20 years, less the diminution which he would have been allowed for good conduct had his sentence been for 20 years;

(b) no inmate serving a life sentence for murder who has been previously convicted of a felony or though not previously convicted of a felony is serving a life sentence for murder in the first degree committed in violation of clause (1) of section 609.185 shall be paroled until he has served 25 years, less the diminution which would have been allowed for good conduct had his sentence been for 25 years;

(c) any inmate sentenced prior to September 1, 1963 who would be eligible for parole had he been sentenced after September 1, 1963, shall be eligible for parole; and

(d) in all cases where an inmate is serving a life sentence for murder, unanimous consent of the corrections board is required for parole of the inmate. Any new rule or policy or change thereof adopted by the board which has the effect of postponing eligibility for parole has prospective effect only and applies only with respect to persons committing offenses after the effective date of the new rule or policy or change thereof. Upon being paroled and released, an inmate is and remains in the legal custody and under the control of the corrections board, subject at any time to be returned to a facility of the department of corrections established by law for the confinement or treatment of convicted persons and the parole rescinded by the board, when the legal custody of the convicted person reverts to the commissioner of corrections. The written order of the corrections board, certified by the chairman of the board, shall be sufficient to any peace officer or state parole and probation agent to retake and place in actual custody any person on parole to the corrections board, but any state parole and probation agent may, without order of warrant, when it appears necessary in order to prevent escape or enforce discipline, take and detain a parolee to the corrections board for its action. The written order of the commissioner of corrections is sufficient to any peace officer or state parole and probation agent to retake and place in actual custody any person on probation under the supervision of the commissioner pursuant to section 609.135, but any state parole and probation agent may, without an order, when it appears necessary in order to prevent escape or enforce discipline, retake and detain a probationer and bring the probationer before the court for further proceedings under section 609.14. Paroled persons, and those on

probation under the supervision of the commissioner of corrections pursuant to section 609.135 may be placed within or without the boundaries of the state at the discretion of the board or of the commissioner of corrections, and the limits fixed for these persons may be enlarged or reduced according to their conduct.

In considering applications for parole or final release, the board is not required to hear oral argument from any attorney or other person not connected with an adult correctional facility of the department of corrections in favor of or against the parole or release of any inmates, but it may institute inquiries by correspondence, taking testimony or otherwise, as to the previous history, physical or mental condition, and character of the inmate, and to that end shall have authority to require the attendance of the chief executive officer of any state adult correctional facility and the production of the records of these facilities, and to compel the attendance of witnesses. Each member of the board is authorized to administer oaths to witnesses for these purposes.

History: 1981 c 192 s 12

243.06 [Repealed, 1981 c 192 s 21]

243.20 DISCHARGE; CLOTHING; MONEY.

Upon the release by discharge or on parole of any inmate of an adult correctional facility under the control of the commissioner of corrections, the chief executive officer thereof, at the expense of the state, shall furnish each inmate released with one good, serviceable outfit of clothing, and, when released during the winter months between approximately October 1 and March 31 following, with a good, serviceable overcoat.

History: 1981 c 192 s 13

243.211 UNAUTHORIZED COMMUNICATION WITH PRISONERS.

Every person who, not being authorized by law or by written permission from the commissioner of corrections, or by consent of the chief executive officer of a state correctional facility under the control of the commissioner of corrections, has any verbal communication with an inmate thereof, or brings into or conveys out of the facility any writing, clothing, food, tobacco, or other article whatsoever, to or from any inmate under sentence, is guilty of a misdemeanor.

History: 1981 c 192 s 14

243.22 [Repealed, 1981 c 192 s 21]

243.25 [Repealed, 1981 c 192 s 21]

243.26 [Repealed, 1981 c 192 s 21]

243.465 DIVERSIFIED LABOR ACCOUNTS.

Money received in payment for the services of inmate labor employed in the industries carried on at any state correctional facility under the control of the commissioner of corrections is appropriated to the commissioner of corrections to be added to the revolving funds of these facilities. The commissioner of corrections may set aside a portion of the revolving fund of any correctional facility 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 facilities.

History: 1981 c 192 s 15

243.515 TRANSFER UNDER TREATY.

Whenever a treaty is in force between the United States and a foreign country providing for the transfer or exchange of convicted offenders to the country of which they are citizens or nationals, the governor may, on behalf of the state and subject to the terms of the treaty, authorize the commissioner of corrections to consent to the transfer or exchange of offenders and take any other action necessary to implement the participation of this state in the treaty.

History: 1981 c 238 s 1

243.57 CONTAGIOUS DISEASE; REMOVAL OF INMATES.

In case of an epidemic of any infectious or contagious disease in any state correctional facility under control of the commissioner of corrections, by which the health or lives of the inmates may be endangered, the chief executive officer thereof, with the approval of the commissioner of corrections may cause the inmates so affected to be removed to some other secure and suitable place or places for care and treatment; and, if the facility is destroyed, in whole or in part, by fire or other casualty and becomes unsuitable for proper detention and custody of the inmates, the chief executive officer, with the approval of the commissioner, may remove them, or any number of inmates, to another safe and appropriate place as may be provided.

History: 1981 c 192 s 16

243.58 REWARD FOR ESCAPED INMATE.

Upon the escape of an inmate from any state correctional facility under the control of the commissioner of corrections, the chief executive officer of the facility shall use all proper means to apprehend and return the escapee, which may include the offer of a reward of not more than \$100 to be paid from the state treasury, for information leading to the arrest and return to custody of the escapee.

History: 1981 c 192 s 17

243.64 SALE OF LAND ACQUIRED IN COLLECTION OF A DEBT FOR ARTICLES MANUFACTURED OR PROCESSED BY CORRECTIONAL INDUSTRIES.

When the state of Minnesota acquires title to any land in the course of legal proceedings for the collection of a debt arising out of the sale by the state of farm machinery, or other articles manufactured or improved at any state correctional facility, the land may be sold by the governor to persons and for a price as recommended by the chief executive officer of the state correctional facility, and the governor is hereby authorized to execute, in the name of the state and in its behalf, any deeds or conveyances necessary or desirable to convey the title and interest of the state to the purchaser, and the proceeds of the sale shall be paid into the state treasury to the credit of the appropriate correctional facility fund.

History: 1981 c 192 s 18

243.78 [Repealed, 1981 c 192 s 21]**243.87 GOODS MADE FOR NATIONAL DEFENSE.**

Nothing in section 241.27 shall be construed to prevent the production or sale of any article for purposes of national defense during times of national emergency where such production or sale is otherwise permitted by the laws of the United States or the state of Minnesota.

History: 1Sp1981 c 4 art 1 s 102