

## CHAPTER 243

## COMMISSIONER OF CORRECTIONS; ADULTS

243.23 Compensation paid to inmates.  
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**243.23 COMPENSATION PAID TO INMATES.**

*[For text of subs 1 and 2, see M.S.1984]*

Subd. 3. **Exceptions.** Notwithstanding sections 241.26, subdivision 5, and 243.24, subdivision 1, the commissioner may promulgate rules for the disbursement of funds earned under subdivision 1 and section 243.88, subdivision 2 for the support of families and dependent relatives of the respective inmates, for the payment of court-ordered restitution, contribution to any programs established by law to aid victims of crime, provided that the contribution shall not be more than 20 percent of an inmate's gross wages, and for the discharge of any legal obligations arising out of litigation under this subdivision. An inmate of an adult correctional facility 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.

**History:** 1985 c 220 s 3

**243.49 COMMITMENT PAPERS; DUTY OF CLERK.**

Upon a plea of guilty or finding of guilty after trial, the clerk of every court which sentences a defendant for a felony or gross misdemeanor to the custody of the commissioner of corrections or to the superintendent of the work house or work farm, shall provide the officer or person having custody of the defendant a certified record for commitment, including (1) a copy of the indictment and plea, (2) a transcript of the sentencing proceedings, with the date thereof, together with the defendant's statement under oath, if obtained, as to his true name, his residence, if any, the date and place of his birth, the names and addresses of his parents and other relatives and of employers and others who know him well, his social and other affiliations, his past occupations and employments, his former places of residence and the period of time and the dates he has resided in each, his citizenship, the number, dates, places and causes of any prior convictions, and (3) if the person pleaded guilty, a transcript of the sentencing proceedings. The record shall also include the trial judge's impressions of the mental and physical condition of the defendant, his general character, capacity, disposition, habits and special needs. The court reporter shall provide the required transcripts. The certified record for commitment may be used as evidence in any post-conviction proceeding brought by the defendant. The clerk shall also deliver to the sheriff or other officer or person conveying the defendant to the correctional facility, work house, or work farm designated by the commissioner of corrections or the judge a warrant of commitment together with a certified copy of the warrant directing him to deliver the person and the certified record for commitment to the principal officer in charge of the correctional facility, work house, or work farm. Upon the delivery of any person,

the principal officer in charge of the correctional facility, work house, or work farm shall keep the certified copy of the warrant of commitment and endorse his receipt upon the original, which shall be filed with the sentencing court. The clerk shall retain one copy of the required transcripts, and a tape recording and the court reporter's notes of all other proceedings.

**History:** 1985 c 38 s 1

#### **243.515 TRANSFER UNDER TREATY; EXTRADITION 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, and for the extradition of persons residing in the territory of the United States who have been charged with or convicted of crime committed within the territory of that foreign country, the governor may, on behalf of the state and subject to the terms of the appropriate treaty, authorize the commissioner of corrections to: (a) consent to the transfer or exchange of offenders, and, (b) deliver any inmate of a state correctional facility for whom an extradition demand has been made pursuant to this section to the custody of the appropriate officials of the United States for surrender to the proper officials of that foreign country. The commissioner of corrections shall take any other action necessary to implement the participation of this state in the treaty.

The extradition of any convicted offender from the custody of the commissioner of corrections shall not diminish the effect of any sentence pursuant to which the offender was committed to the custody of the commissioner of corrections. The sentence shall continue to run during the time that the offender is in the custody of the appropriate officials of the United States or the foreign country to which extradited. The offender shall not be subject to return to the territory of the United States and to the custody of the commissioner of corrections pursuant to this section unless there remains an unserved portion of the Minnesota sentence.

**History:** 1985 c 74 s 1

#### **243.52 DISCIPLINE; PREVENTION OF ESCAPE.**

If any inmate of any state adult correctional facility assaults any officer, guard, or any other person or inmate, the assaulted person may defend himself by the use of force. If any inmate attempts to damage the buildings or appurtenances, resists the lawful authority of any officer or guard, refuses to obey his reasonable demands, or attempts to escape, the officer or guard may enforce obedience and discipline or prevent escape by the use of force. If any inmate resisting lawful authority is wounded or killed by the use of force by the officer, guard, or assistants, that conduct is authorized under this section.

As used in this section, "use of force" means conduct which is defined by sections 609.06 to 609.066.

**History:** 1985 c 220 s 4

#### **243.55 CONTRABAND ARTICLES; EXCEPTIONS; PENALTY.**

*[For text of subds 1 and 2, see M.S.1984]*

Subd. 3. As used in this section, "state hospital" or "hospital" means any state operated facility or hospital under the authority of the commissioner of human services for (a) persons with mental illness, mental retardation, or chemical dependency, (b) sex offenders, or (c) persons with psychopathic personalities.

**History:** 1985 c 21 s 2