

CHAPTER 241

DEPARTMENT OF CORRECTIONS

241.27 Vocational training of inmates;
Minnesota correctional industries;
revolving accounts.

241.67 Sex offender treatment; programs;
standards; data.

241.27 VOCATIONAL TRAINING OF INMATES; MINNESOTA CORRECTIONAL INDUSTRIES; REVOLVING ACCOUNTS.

[For text of subd 1, see M.S.1988]

Subd. 2. Revolving fund; use of fund. There is established in the department of corrections under the control of the commissioner of corrections the Minnesota correctional industries revolving fund to which shall be transferred the revolving funds authorized in Minnesota Statutes 1978, sections 243.41, 243.85, clause (f), and any other industrial revolving funds heretofore established at any state correctional facility under the control of the commissioner of corrections. The revolving fund established shall be used for the conduct of the industrial and commercial activities now or hereafter established at any state correctional facility, including but not limited to the purchase of equipment, raw materials, the payment of salaries, wages and other expenses necessary and incident thereto. The purchase of materials and commodities for resale are not subject to the competitive bidding procedures of section 16B.07, but are subject to all other provisions of chapter 16B. When practical, purchases must be made from economically disadvantaged small businesses. Additionally, the expenses of inmate vocational training and the inmate release fund may be financed from the correctional industries revolving fund in an amount to be determined by the commissioner. The proceeds and income from all industrial and commercial activities conducted at state correctional facilities shall be deposited in the correctional industries revolving fund subject to disbursement as hereinabove provided. The commissioner of corrections may request that money in the fund be invested pursuant to section 11A.25; the proceeds from the investment not currently needed shall be accounted for separately and credited to the fund.

[For text of subds 3 to 5, see M.S.1988]

History: 1989 c 352 s 18

NOTE: The amendments to subdivision 2 by Laws 1989, chapter 352, section 18, are repealed June 30, 1990. See Laws 1989, chapter 352, section 25, clause (e).

241.67 SEX OFFENDER TREATMENT; PROGRAMS; STANDARDS; DATA.

Subdivision 1. Sex offender treatment. A sex offender treatment system is established under the administration of the commissioner of corrections to provide and finance a range of sex offender treatment programs for eligible adults and juveniles. Eligible offenders are:

- (1) adults and juveniles committed to the custody of the commissioner;
- (2) adult offenders for whom treatment is required by the court as a condition of probation; and
- (3) juvenile offenders who have been found delinquent or received a stay of adjudication, for whom the juvenile court has ordered treatment.

Subd. 2. Treatment program standards. By July 1, 1991, the commissioner shall adopt rules under chapter 14 for the certification of adult and juvenile sex offender treatment programs in state and local correctional facilities. The rules shall require that sex offender treatment programs be at least four months in duration. After July 1, 1991, a correctional facility may not operate a sex offender treatment program unless the program has met the standards adopted by and been certified by the commissioner of

corrections. As used in this subdivision, "correctional facility" has the meaning given it in section 241.021, subdivision 1, clause (5).

Subd. 3. Programs for adult offenders committed to the commissioner. (a) The commissioner shall provide for a range of sex offender treatment programs, including intensive sex offender treatment, within the state adult correctional facility system. Participation in any treatment program is voluntary and is subject to the rules and regulations of the department of corrections. Nothing in this section requires the commissioner to accept or retain an offender in a treatment program. Nothing in this section creates a right of an offender to treatment.

(b) The commissioner shall provide for residential and outpatient sex offender treatment and aftercare when required for conditional release under section 609.1352 or as a condition of supervised release.

Subd. 4. Programs for juvenile offenders committed to the commissioner. The commissioner shall provide for sex offender treatment programs for juveniles committed to the commissioner by the courts under section 260.185, as provided under section 242.195.

Subd. 5. Pilot programs to increase adult and juvenile sex offender treatment. (a) The commissioner shall designate three or more pilot programs to increase sex offender treatment for:

(1) adults convicted of a violation of section 609.342, 609.343, 609.344, 609.345, 609.3451, 609.746, 609.79, 617.23, 617.246, or 617.247 who are sentenced by the court to incarceration in a local correctional facility or to sex offender treatment as a condition of probation; and

(2) juveniles found delinquent or receiving a stay of adjudication for a violation of one of those sections for whom the juvenile court has ordered sex offender treatment.

(b) At least one pilot program must be in the seven-county metropolitan area, at least one program must be outside the seven-county metropolitan area, at least one program must be in a community corrections act county, and at least one program must be in a noncommunity corrections act county.

(c) A public human services or community corrections agency may apply to the commissioner for a pilot program grant. The application must be submitted in a form approved by the commissioner and must include:

(1) a proposal to increase treatment availability for sex offenders sentenced by the district court in the county;

(2) evidence of participation by local correctional, human services, court, and treatment professionals in identifying the current treatment funding level in the county and unmet sex offender treatment needs; and

(3) any other content the commissioner may require.

The commissioner may appoint an advisory task force to assist in the review of applications and the award of grants.

Subd. 6. Specialized corrections agents and probation officers; sex offender supervision. By January 1, 1990, the commissioner of corrections shall develop in-service training for state and local corrections agents and probation officers who supervise adult and juvenile sex offenders on probation or supervised release. The commissioner shall make the training available to all current and future corrections agents and probation officers who supervise or will supervise sex offenders on probation or supervised release.

After January 1, 1991, a state or local corrections agent or probation officer may not supervise adult or juvenile sex offenders on probation or supervised release unless the agent or officer has completed the in-service sex offender supervision training. The commissioner may waive this requirement if the corrections agent or probation officer has completed equivalent training as part of a post-secondary educational curriculum.

After January 1, 1991, when an adult sex offender is placed on supervised release or is sentenced to probationary supervision, and when a juvenile offender is found

delinquent by the juvenile court for a sex offense and placed on probation or is paroled from a juvenile correctional facility, a corrections agent or probation officer may not be assigned to the offender unless the agent or officer has completed the in-service sex offender supervision training.

History: 1989 c 290 art 4 s 1; 1989 c 356 s 54