

## CHAPTER 242

## CORRECTIONS; YOUTH

242.085	State policy regarding placement of juveniles out of state.	242.32	Constructive programs; cooperation secure placement.
242.09	Cooperation; other agencies.	242.37	Conservation camps.
242.10	Hearing officers, powers; probation, commitment, parole.	242.385	The Minnesota correctional facility-Lino Lakes.
242.14	Placement in penal institution prohibited.	242.39	Juvenile restitution grant program.
242.18	Study of offender's background; rehabilitation policy.	STATE TRAINING SCHOOLS; BOYS, GIRLS	
242.19	Methods of control.	242.41	The Minnesota correctional facility-Red Wing.
242.192	Charges to counties.	242.43	Commissioner, duties.
242.193	Juvenile residential treatment grants.	242.44	Pupils.
242.195	Juvenile sex offenders.	242.45	Children committed by United States courts.
242.20	Training.	242.46	Probation services; juvenile courts.
242.21	Cooperation; state institutions, local police officers.	242.47	Interference with inmates.
242.22	Local probation officer; powers, duties.	242.48	No roads or streets through grounds.
242.31	Restoration of civil rights; possession of firearms.	242.55	Academic program.
		242.56	Work and learn facilities for youth.

242.01 [Repealed, 1977 c 392 s 14]

242.02 [Repealed, 1977 c 392 s 14]

242.03 [Repealed, 1977 c 392 s 14]

242.04 [Repealed, 1973 c 654 s 14]

242.05 [Repealed, 1973 c 654 s 14]

242.06 [Repealed, 1973 c 654 s 14]

242.07 [Repealed, 1973 c 654 s 14]

242.08 [Repealed, 1973 c 654 s 14]

#### 242.085 STATE POLICY REGARDING PLACEMENT OF JUVENILES OUT OF STATE.

It is the policy of this state that delinquent juveniles be supervised and programmed for within the state. Courts are requested, to the greatest extent possible and when in the best interests of the child, to place these juveniles within the state.

**History:** 1997 c 239 art 9 s 14

#### 242.09 COOPERATION; OTHER AGENCIES.

The commissioner of human services, the commissioner of education, and the state commissioner of health 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 Human Services, shall be made available to the commissioner of corrections upon the terms the governor directs.

**History:** 1947 c 595 s 1; 1949 c 575 s 1; 1955 c 261 s 1; 1961 c 750 s 2; 1973 c 654 s 3; 1975 c 271 s 6; 1977 c 305 s 45; 1977 c 392 s 1; 1984 c 654 art 5 s 58; 1Sp1995 c 3 art 16 s 13; 2003 c 130 s 12

#### 242.10 HEARING OFFICERS, POWERS; PROBATION, COMMITMENT, PAROLE.

The commissioner of corrections may designate from among the members of the commissioner's 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 the commissioner 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 the department pursuant to rules issued by the commissioner.

**History:** 1947 c 595 s 1; 1949 c 575 s 1; 1951 c 383 s 2; 1953 c 33 s 1; 1973 c 654 s 4; 1975 c 271 s 6; 1977 c 392 s 2; 1986 c 444

242.11 [Repealed, 1973 c 654 s 14]

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 the commissioner by a juvenile court, as authorized by section 260B.198, to place a committed child in a penal institution.

**History:** 1947 c 595 s 1; 1951 c 553 s 2; 1959 c 698 s 1; 1961 c 750 s 3; 1973 c 654 s 15; 1975 c 271 s 6; 1977 c 392 s 3; 1986 c 444; 1999 c 139 art 4 s 2

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 rules shall forthwith cause the person to be examined and studied, and investigate all of the pertinent circumstances of the person's life and the antecedents of the crime or other delinquent conduct because of which the person has been committed to the commissioner, and thereupon order the treatment the commissioner 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 in institutions for persons convicted of crimes. The court and the prosecuting and police authorities and other public officials shall make available to the commissioner of corrections all pertinent data in their possession in respect to the case.

**History:** 1947 c 595 s 1; 1961 c 750 s 4; 1973 c 654 s 5; 1975 c 271 s 6; 1977 c 392 s 4; 1983 c 274 s 18; 1986 c 444

#### 242.19 METHODS OF CONTROL.

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

Subd. 2. **Dispositions.** When a child has been committed to the commissioner of corrections by a juvenile court, upon a finding of delinquency, the commissioner may for the purposes of treatment and rehabilitation:

(a) order the child's confinement to the Minnesota Correctional Facility-Red Wing or the Minnesota Correctional Facility-Sauk Centre, which shall accept the child, or to a group foster home under the control of the commissioner of corrections, or to private facilities or facilities established by law or incorporated under the laws of this state that may care for delinquent children;

(b) order the child's release on parole under such supervisions and conditions as the commissioner believes conducive to law-abiding conduct, treatment and rehabilitation;

(c) order reconfinement or renewed parole as often as the commissioner believes to be desirable;

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

(e) discharge the child when the commissioner is satisfied that the child has been rehabilitated and that such discharge is consistent with the protection of the public;

(f) if the commissioner finds that the child is eligible for probation or parole and it appears from the commissioner's investigation that conditions in the child's or the guardian's home are not conducive to the child's treatment, rehabilitation, or law-abiding conduct, refer the child, together with the commissioner's findings, to a local social services agency or a licensed child-placing agency for placement in a foster care or, when appropriate, for initiation of child in need of protection or services proceedings as provided in sections 260C.001 to 260C.421. The commissioner of corrections shall reimburse local social services agencies for foster care costs they incur for the child while on probation or parole to the extent that funds for this purpose are made available to the commissioner by the legislature. The juvenile court shall order the parents of a child on probation or parole to pay the costs of foster care under section 260B.331, subdivision 1, according to their ability to pay, and to the extent that the commissioner of corrections has not reimbursed the local social services agency.

Subd. 3. **Retaking absconding and other person.** The written order of the commissioner of corrections is authority to any peace officer or parole or probation officer to take and detain any child committed to the commissioner of corrections by a juvenile court who absconds from field supervision or escapes from confinement, violates furlough conditions, or is released from court while on institution status. Any person of the age of 18 years or older who is taken into custody under the provisions of this subdivision may be detained as provided in section 260B.181, subdivision 4.

**History:** 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; 1973 c 654 s 6,15; 1975 c 271 s 6; 1979 c 102 s 13; 1982 c 615 s 2; 1984 c 606 s 1; 1986 c 444; 1988 c 673 s 1; 1994 c 631 s 31; 1997 c 239 art 9 s 15; 1999 c 139 art 4 s 2

#### 242.192 CHARGES TO COUNTIES.

The commissioner shall charge counties or other appropriate jurisdictions 65 percent of the per diem cost of confinement, excluding educational costs and nonbillable service, of juveniles at the Minnesota Correctional Facility-Red Wing and of juvenile females committed to the commissioner of corrections. This charge applies to juveniles committed to the commissioner of corrections and juveniles admitted to the Minnesota Correctional Facility-Red Wing under established admissions criteria. This charge applies to both counties that participate in the Community Corrections Act and those that do not. The commissioner shall determine the per diem cost of confinement based on projected population, pricing incentives, market conditions, and the requirement that expense and revenue balance out over a period of two years. All money received under this section must be deposited in the state treasury and credited to the general fund.

**History:** 1997 c 239 art 9 s 16; 1998 c 367 art 9 s 11; 1999 c 216 art 4 s 7; 2000 c 488 art 7 s 2; 1Sp2001 c 9 art 18 s 12; 2002 c 220 art 6 s 8; 2002 c 379 art 1 s 113

#### 242.193 JUVENILE RESIDENTIAL TREATMENT GRANTS.

Subdivision 1. **Grants.** Within the limits of available appropriations, the commissioner of corrections shall make juvenile residential treatment grants to counties to defray the cost of juvenile residential treatment. The commissioner shall distribute 80 percent of the money appropriated for these purposes to noncommunity corrections counties and 20 percent to Community Corrections Act counties. The commissioner shall distribute the money according to the formula contained in section 401.10.

Subd. 2. **Report.** By January 15 of each year, each county that received a grant shall submit a report to the commissioner describing the purposes for which the grants were used. By March 15 of each year, the commissioner shall summarize this information and report it to the chairs and ranking minority members of the senate and

house of representatives committees and divisions having jurisdiction over criminal justice funding.

**History:** 2000 c 488 art 7 s 3

#### 242.195 JUVENILE SEX OFFENDERS.

Subdivision 1. **Sex offender programs.** (a) The commissioner of corrections shall provide for a range of sex offender programs, including intensive sex offender programs, for juveniles within state juvenile correctional facilities and through purchase of service from county and private residential and outpatient juvenile sex offender programs.

(b) The commissioner shall establish and operate a residential sex offender program at one of the state juvenile correctional facilities. The program must be structured to address both the therapeutic and disciplinary needs of juvenile sex offenders. The program must afford long-term residential treatment for a range of juveniles who have committed sex offenses and have failed other treatment programs or are not likely to benefit from an outpatient or a community-based residential treatment program.

Subd. 2. **Secure confinement.** If a juvenile sex offender committed to the custody of the commissioner is in need of secure confinement, the commissioner shall provide for the appropriate level of sex offender treatment within a secure facility or unit in a state juvenile correctional facility.

Subd. 3. **Dispositions.** When a juvenile is committed to the commissioner of corrections by a juvenile court, upon a finding of delinquency for a sex offense, the commissioner may, for the purposes of treatment and rehabilitation:

(1) order the child confined to a state juvenile correctional facility that provides the appropriate level of juvenile sex offender treatment;

(2) purchase sex offender treatment from a county and place the child in the county's qualifying juvenile correctional facility;

(3) purchase sex offender treatment from a qualifying private residential juvenile sex offender treatment program and place the child in the program;

(4) purchase outpatient juvenile sex offender treatment for the child from a qualifying county or private program and order the child released on parole under treatment and other supervisions and conditions the commissioner believes to be appropriate;

(5) order reconfinement or renewed parole, revoke or modify any order, or discharge the child under the procedures provided in section 242.19, subdivision 2, paragraphs (c), (d), and (e); or

(6) refer the child to a local social services agency or licensed child-placing agency for placement in foster care, or when appropriate, for initiation of child in need of protection or services proceedings under section 242.19, subdivision 2, paragraph (f).

Subd. 4. **Qualifying facilities; treatment programs.** The commissioner may not place a juvenile in a correctional facility under this section unless the facility has met the requirements of section 241.021, subdivision 2.

**History:** 1989 c 290 art 4 s 2; 1992 c 571 art 8 s 5; 1993 c 146 art 2 s 14; 1994 c 631 s 31

#### 242.20 TRAINING.

As a means of correcting the socially harmful tendencies of a person committed to the commissioner of corrections, the commissioner may require participation by the person in vocational, physical, educational and corrective training and activities and conduct and modes of life as seem best adapted to fit the person for return to full liberty without danger to the public welfare. The commissioner of corrections may receive money from the sale of articles manufactured by a person committed to Corrections Department's custody and confined in a correctional facility under the

control of the commissioner and expend the money so received for the purchase of materials to be made into other articles for sale.

**History:** 1947 c 595 s 1; 1953 c 352 s 1; 1973 c 654 s 7; 1975 c 271 s 6; 1981 c 192 s 5

#### 242.21 COOPERATION; STATE INSTITUTIONS, LOCAL POLICE OFFICERS.

The commissioner of corrections may enter into agreement with the commissioner of human services, with local probation officers or other public officials and with public or private agencies, schools or institutions, for custody, separate care, special treatment, training, or diagnostic services of persons committed to the care or subject to the control of the commissioner of corrections. 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.

**History:** 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; 1973 c 654 s 8; 1975 c 271 s 6; 1983 c 274 s 18; 1984 c 654 art 5 s 58; 1986 c 444

#### 242.22 LOCAL PROBATION OFFICER; POWERS, DUTIES.

Any person committed to the commissioner of corrections from a county having a probation officer of a juvenile court may be placed on probation by the commissioner under the supervision of the probation officer who shall assume supervision as though it were pursuant to a judgment or order of the juvenile court. The probation officer shall cooperate with the commissioner of corrections in providing treatment for the person consistent with the purposes of this chapter, but nothing therein shall give the commissioner direction or control over the probation officer or require the probation officer or subordinates to perform duties not otherwise required by law.

**History:** 1947 c 595 s 1; 1951 c 459 s 2; 1961 c 750 s 6; 1969 c 9 s 108; 1973 c 654 s 15; 1975 c 271 s 6; 1979 c 102 s 13; 1981 c 192 s 6

242.23 [Repealed, 1981 c 192 s 21]

242.24 [Repealed, 1981 c 192 s 21]

242.25 [Repealed, 1977 c 392 s 14]

242.26 [Repealed, 1977 c 392 s 14]

242.265 [Repealed, 1973 c 654 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; POSSESSION OF FIREARMS.

Subdivision 1. **Restoration.** Whenever a person who has been committed to the custody of the commissioner of corrections upon conviction of a crime following certification under the provisions of section 260B.125 is finally discharged by order of the commissioner, that discharge shall restore the person to all civil rights. The commissioner shall file a copy of the order with the district court of the county in which the conviction occurred.

Subd. 2. **Order of discharge.** Whenever a person described in subdivision 1 has been placed on probation by the court pursuant to section 609.135 and, after satisfactory fulfillment of it, is discharged from probation, the court shall issue an order of discharge pursuant to subdivision 2a and section 609.165.

This order restores the defendant to civil rights.

Subd. 2a. **Crimes of violence; ineligibility to possess firearms.** The order of discharge must provide that a person who has been convicted of a crime of violence, as defined in section 624.712, subdivision 5, is not entitled to ship, transport, possess, or receive a firearm for the remainder of the person's lifetime. Any person who has received such a discharge and who thereafter has received a relief of disability under United States Code, title 18, section 925, or whose ability to possess firearms has been restored under section 609.165, subdivision 1d, shall not be subject to the restrictions of this subdivision.

Subd. 3. [Repealed, 1996 c 408 art 9 s 10]

**History:** 1947 c 595 s 1; 1961 c 59 s 1; 1965 c 52 s 1; 1973 c 654 s 15; 1975 c 271 s 6; 1977 c 392 s 5; 1983 c 264 s 3,4; 1986 c 444; 1992 c 569 s 14; 1994 c 576 s 3; 1995 c 226 art 3 s 14; 1996 c 408 art 9 s 3,4; 1999 c 139 art 4 s 2; 2003 c 28 art 3 s 1

### 242.32 CONSTRUCTIVE PROGRAMS; COOPERATION SECURE PLACEMENT.

Subdivision 1. **Community-based programming.** The commissioner of corrections shall be charged with the duty of developing constructive programs for the prevention and decrease of delinquency and crime among youth. To that end, the commissioner shall cooperate with counties and existing agencies to encourage the establishment of new programming, both local and statewide, to provide a continuum of services for serious and repeat juvenile offenders who do not require secure placement. The commissioner shall work jointly with the commissioner of human services and counties and municipalities to develop and provide community-based services for residential placement of juvenile offenders and community-based services for nonresidential programming for juvenile offenders and their families.

Notwithstanding any law to the contrary, the commissioner of corrections is authorized to contract with counties placing juveniles in the serious/chronic program, PREPARE, at the Minnesota Correctional Facility-Red Wing to provide necessary extended community transition programming. Funds resulting from the contracts shall be deposited in the state treasury and are appropriated to the commissioner for juvenile correctional purposes.

Subd. 1a. **Alternative residential programs; funding.** The commissioner of corrections may establish and operate alternative residential programs for juveniles. Programming is available to court and social service agencies for placement of juveniles to act as early intervention in juvenile crime. The commissioner shall require participating state or federal agencies and local units of government sending participants to the program to pay the cost of the program. Funds received by the commissioner for the cost of the program from state and federal agencies and local units of government under this subdivision must be deposited in the state treasury and credited to a special account. Money in the account is appropriated to the commissioner to fund the program.

Subd. 2. **Secure placement of juvenile offenders.** The commissioner shall license several small regional facilities providing secure capacity programming for juveniles who have been adjudicated delinquent or convicted as extended jurisdiction juveniles and require secure placement. The programming shall be tailored to the types of juveniles being served, including their offense history, age, gender, cultural and ethnic heritage, mental health and chemical dependency problems, and other characteristics. Services offered shall include but not be limited to:

- (1) intensive general educational programs, with an individual educational plan for each juvenile;
- (2) specific educational components in the management of anger and nonviolent conflict resolution;
- (3) treatment for chemical dependency;
- (4) mental health screening, assessment, and treatment; and
- (5) programming to educate offenders about sexuality and address issues specific to victims and perpetrators of sexual abuse.

The facilities shall collaborate with facilities providing nonsecure residential programming and with community-based aftercare programs.

Subd. 3. **Licensure.** The commissioner shall adopt rules establishing licensing criteria for secure placement programming for juvenile offenders. The criteria must ensure that the programming is distributed throughout the state. The commissioner is authorized to license long-term residential secure programming up to a maximum of 100 beds statewide in addition to those licensed as of January 1, 1995.

Subd. 4. **Exception.** The 100-bed limitation in subdivision 3 does not apply to:

(1) up to 32 beds constructed and operated for long-term residential secure programming by a privately operated facility licensed by the commissioner in Rock County, Minnesota; and

(2) the campus at the state juvenile correctional facility at Red Wing, Minnesota.

**History:** 1947 c 595 s 1; 1973 c 654 s 12; 1994 c 576 s 4; 1997 c 239 art 9 s 17; 1997 c 251 s 9; 1998 c 367 art 9 s 12; art 10 s 2; 2000 c 299 s 2; 2001 c 210 s 11

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]

#### 242.37 CONSERVATION CAMPS.

(1) The commissioner of corrections may establish and operate conservation camps in which persons committed to the commissioner of corrections 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 as provided in clause (1) may be confined to a conservation camp established pursuant to this section or to any other institution under the control of the commissioner, subject to the limitations of section 242.19. Any person committed to a conservation camp as herein provided may be required by order of the commissioner to labor during the whole or some part of the time for which so committed and confined, but not more than eight hours per day. The commissioner is authorized and empowered to determine the payment of such compensation to persons so confined who perform labor as hereinabove provided. Any money arising hereunder shall be and remain under control of the commissioner and shall be for the sole benefit of the person performing the labor unless it shall be used for rendering assistance to the laborer's family or dependents or in making restitution to persons determined by the commissioner to be entitled thereto, in either event payments shall be made only in such amount, at such time and to such persons as the commissioner may order in writing.

**History:** 1949 c 575 s 1; 1973 c 144 s 1; 1973 c 654 s 15; 1975 c 261 s 6; 1980 c 509 s 96; 1983 c 274 s 18; 1986 c 444

242.375 [Repealed, 1981 c 192 s 21]

242.38 [Repealed, 1977 c 392 s 14]

#### 242.385 THE MINNESOTA CORRECTIONAL FACILITY-LINO LAKES.

Subdivision 1. **Establishment.** There is hereby established the Minnesota Correctional Facility-Lino Lakes, at Lino Lakes, Minnesota, to which may be delivered persons committed to the commissioner of corrections by the courts of this state who, in the opinion of the commissioner, may benefit from the programs available thereat.

The general control and management of the facility shall be under the commissioner of corrections.

Subd. 2. [Repealed, 1974 c 156 s 4]

**History:** 1957 c 956 s 1,2; 1969 c 502 s 1; 1974 c 156 s 1; 1978 c 793 s 69

**242.386** [Repealed, 1974 c 156 s 4]

**242.39 JUVENILE RESTITUTION GRANT PROGRAM.**

Subdivision 1. **Grant program.** A juvenile restitution grant program is established under the commissioner of corrections to provide and finance work for eligible juveniles. Juveniles eligible to participate in the program are juveniles who have monetary restitution obligations to victims.

Subd. 2. **Administering program.** The Department of Corrections shall administer the grant program. The commissioner shall award grants to community correction agencies, other state and local agencies, and nonprofit agencies that meet the criteria developed by the commissioner relating to juvenile restitution grant programs. The criteria developed by the commissioner may include a requirement that the agency provide a match to the grant amount consisting of in-kind services, money, or both.

Subd. 3. **Cooperation; types of programs.** The commissioner of corrections shall work with the commissioner of natural resources, the commissioner of public safety, local government and nonprofit agencies, educational institutions, and the courts to design and develop suitable juvenile restitution grant programs. Programs must provide services to communities, including but not necessarily limited to, park maintenance, recycling, and other related work. Eligible juveniles may earn monetary restitution on behalf of a victim or perform a service for the victim. Work performed by eligible juveniles must not result in the displacement of currently employed full- or part-time workers or workers on seasonal layoff or layoff from a substantially equivalent position, including partial displacement such as reduction in hours of nonovertime work, wages, or other employment benefits. Any monetary restitution earned by an eligible juvenile must either be forwarded to the victim or held in an account for the benefit of the victim.

Subd. 4. **Referral to program.** The grant program must provide that eligible juveniles may be referred to the program by a community diversion agency, a correctional or human service agency, or by a court order of monetary restitution.

**History:** 1993 c 326 art 12 s 1; 1994 c 483 s 1; 2004 c 206 s 32

**STATE TRAINING SCHOOLS; BOYS, GIRLS**

**242.41 THE MINNESOTA CORRECTIONAL FACILITY-RED WING.**

There is established the Minnesota Correctional Facility-Red Wing at Red Wing, Minnesota, in which may be placed persons committed to the commissioner of corrections by the courts of this state or admitted consistent with established admissions criteria. When reviewing placement requests from counties, the commissioner shall take into consideration the purpose of the Minnesota Correctional Facility-Red Wing which is to educate and provide treatment for serious and chronic juvenile offenders for which the county has exhausted local resources. The general control and management of the facility shall be under the commissioner of corrections.

**History:** (4470) RL s 1905; 1949 c 561 s 2; 1973 c 68 s 2; 1979 c 102 s 1; 2000 c 488 art 7 s 4

**242.42** [Repealed, 1965 c 45 s 73]

**242.43 COMMISSIONER, DUTIES.**

The commissioner of corrections shall receive, clothe, maintain, and instruct all children duly committed to the Corrections Department and placed in a state correctional facility for juveniles and keep them in custody until placed on probation, paroled,



or discharged. The commissioner may place any of these children in suitable foster care facilities or cause them to be instructed in such trades or employment as in the commissioner's judgment will be most conducive to their reformation and tend to the future benefit and advantage of these children. The commissioner may discharge any child so committed, or may recall to the facility at any time any child paroled, placed on probation, or transferred; and, upon recall, may resume the care and control thereof. The discharge of a child by the commissioner shall be a complete release from all penalties and disabilities created by reason of the commitment.

Upon the parole or discharge of any inmate of any state juvenile correctional facility, the commissioner of corrections may pay to each inmate released an amount of money not exceeding the sum of \$10. All payments shall be made from the current expense fund of the facility.

**History:** (4472) 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; 1973 c 68 s 3; 1973 c 654 s 15; 1975 c 271 s 6; 1979 c 102 s 13; 1981 c 192 s 7; 2000 c 488 art 7 s 5

#### 242.44 PUPILS.

The commissioner of corrections, so far as the accommodations of the correctional facilities and other means at the commissioner's disposal will permit, may receive juvenile delinquents and juvenile offenders serving a juvenile disposition under section 260B.130, subdivision 4. The commissioner's housing of these individuals must be consistent with federal and state law, including established admissions criteria for Minnesota Correctional Facility-Red Wing. The commissioner may place these youths at employment, may provide education suitable to their years and capacity, and may place them in suitable homes. Under rules prescribed by the commissioner, when deemed best for these youths, persons committed to the commissioner's care and custody by a juvenile court may be paroled or discharged from the facility by the commissioner. All pupils in the facility shall be clothed, instructed, and maintained by the commissioner of corrections.

**History:** (4473) RL s 1907; 1949 c 260 s 1; 1949 c 561 s 4; 1973 c 68 s 4; 1973 c 654 s 15; 1973 c 725 s 42; 1975 c 271 s 6; 1981 c 192 s 8; 1982 c 615 s 3; 1986 c 444; 2000 c 488 art 7 s 6

#### 242.45 CHILDREN COMMITTED BY UNITED STATES COURTS.

The commissioner of corrections shall receive into custody and keep until duly discharged all children within the prescribed ages committed to the commissioner 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 children the United States shall undertake to pay a per diem charge as determined by the commissioner of corrections.

**History:** (4474) RL s 1908; 1909 c 122 s 1; 1949 c 561 s 5; 1973 c 654 s 15; 1975 c 271 s 6; 1981 c 192 s 9

#### 242.46 PROBATION SERVICES; JUVENILE COURTS.

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

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

Subd. 3. **Probation services.** The commissioner shall provide probation services to juvenile courts in counties that request it or as required by section 244.19. The commissioner 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 in-service 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.

**History:** (4475) *RL 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; 1973 c 654 s 15; 1975 c 271 s 6; 1977 c 392 s 6; 1986 c 444; 1997 c 239 art 9 s 51*

#### 242.47 INTERFERENCE WITH INMATES.

Every person who abducts, conceals, entices, carries away, or improperly interferes with, any juvenile inmate of a Minnesota correctional facility for juveniles is guilty of a misdemeanor.

**History:** (4476) *RL s 1910; 1979 c 102 s 13; 1981 c 31 s 4; 1981 c 192 s 10*

#### 242.48 NO ROADS OR STREETS THROUGH GROUNDS.

No individual, copartnership, or corporation, public or private, shall lay out, construct, or open any road or street upon or through any grounds of any state correctional facility without the consent of the commissioner of corrections.

**History:** (4477) *RL s 1912; 1949 c 561 s 7; 1973 c 654 s 15; 1975 c 271 s 6; 1979 c 102 s 13; 1981 c 192 s 11*

242.51 [Repealed, 2001 c 210 s 30]

242.52 [Repealed, 1981 c 192 s 21]

242.53 [Repealed, 1981 c 192 s 21]

242.54 [Repealed, 1973 c 654 s 14; 1974 c 406 s 76]

#### 242.55 ACADEMIC PROGRAM.

The academic program at the Minnesota Correctional Facility-Red Wing shall be conducted on a 12-month basis.

**History:** *1976 c 163 s 40; 1979 c 102 s 13; 2000 c 299 s 3*

#### 242.56 WORK AND LEARN FACILITIES FOR YOUTH.

Subdivision 1. **Requests for proposals.** The commissioner of corrections shall select two nonprofit organizations to select and develop sites for work and learn facilities for youth. The selection of organizations must be made in consultation with the advisory group created under subdivision 3. By July 1, 1994, the commissioner shall issue a request for proposals from nonprofit organizations to locate and develop the facilities described in subdivisions 4 and 5. Both programs will provide rigorous programming for youthful offenders.

Subd. 2. **Eligibility.** (a) Both programs are limited to individuals who:

- (1) are at least 14 years of age but no older than 19 at the time of admission;
- (2) have not received a high school diploma; and
- (3) were adjudicated delinquent or referred by a county social services agency.

(b) The following are not eligible:

(1) juveniles adjudicated delinquent for murder, manslaughter, criminal sexual conduct in the first or second degree, assault, kidnapping, robbery, arson, or any other offense involving death or intentional personal injury; and

(2) juveniles who were adjudicated delinquent within the preceding ten years of an offense described in clause (1) and were committed to the custody of the commissioner.

(c) The programs may include nonoffenders selected by the commissioner based on recommendations from social service agencies of individuals who are at risk of incarceration.

Subd. 3. **Advisory group.** The commissioner shall appoint an advisory group to assist in selecting sites under this section. The commissioner shall include among the

members of the group representatives of the following: the Council on Black Minnesotans, the Council on Affairs of Chicano/Latino People, the Council on Asian-Pacific Minnesotans, the Indian Affairs Council, the commissioner of education, community corrections officials, county corrections officials, the Association of Counties, and the Association of County Probation Officers.

**Subd. 4. Metropolitan work and learn site.** One facility shall be in the metropolitan area in an academy campus setting and be administered to address the problems of high unemployment rate among people of color, the high drop-out rate of young people in the public school system, and overcrowded correctional facilities. The academy shall provide the following programs:

- (1) physical training;
- (2) general studies;
- (3) motivational and personal development;
- (4) business opportunities;
- (5) skills improvement; and
- (6) structured residential treatment programs of individual and group counseling.

**Subd. 5. Wilderness work and learn site.** One facility shall be in a wilderness setting, no more than 50 miles from the outer boundary of the seven-county metropolitan area, located on a site of at least 60 acres. The wilderness site shall offer a combination of the following:

- (1) group activities that develop cooperation, teamwork, and trust in others;
- (2) wilderness camping experiences that ensure that the youth begin to build self-esteem about themselves;
- (3) structured residential treatment programs of individual and group counseling;
- (4) a teaching and social reinforcement system;
- (5) a point and level incentive system;
- (6) vocational and academic education; and
- (7) life skills training.

**Subd. 6. Family services.** Both programs shall provide family services during and after the youth's involvement, including six months of intensive follow-up supervision of the youth after return to the community.

**Subd. 7. Evaluation and report.** The commissioner shall file a report with the chairs of the senate Crime Prevention Committee and the house of representatives Judiciary Committee by December 1, 1994, describing the sites selected and the progress made in developing them. The commissioner shall also develop a system for gathering and analyzing information concerning the value and effectiveness of the work and learn facilities. The commissioner shall report to the chairs of the committees in the house of representatives and senate with jurisdiction over criminal justice policy by January 1, 1999, on the operation of the program, with a recommendation as to whether it should be continued.

**History:** 1994 c 636 art 9 s 1; 1Sp1995 c 3 art 16 s 13; 1997 c 7 art 3 s 5; 2003 c 130 s 12