

253D.31 DISCHARGE.

A person who is committed as a sexually dangerous person or a person with a sexual psychopathic personality shall not be discharged unless it appears to the satisfaction of the judicial appeal panel, after a hearing and recommendation by a majority of the special review board, that the committed person is capable of making an acceptable adjustment to open society, is no longer dangerous to the public, and is no longer in need of treatment and supervision.

In determining whether a discharge shall be recommended, the special review board and judicial appeal panel shall consider whether specific conditions exist to provide a reasonable degree of protection to the public and to assist the committed person in adjusting to the community. If the desired conditions do not exist, the discharge shall not be granted.

History: 2010 c 300 s 26; 2013 c 49 s 7,22; 2018 c 194 s 2

NOTE: The amendment to this section by Laws 2018, chapter 194, section 2, is effective May 30, 2018, for any person committed as a sexually dangerous person or a person with a sexual psychopathic personality, and any pending petition for a reduction in custody, unless, for such a pending petition, an order of the judicial appeal panel discharging the person from commitment has been issued. Laws, 2018, chapter 194, section 2, the effective date.