

253.21 COMMITMENT OF PRISONERS; PROCEEDINGS; RESTORATION OF MENTAL HEALTH.

Subdivision 1. **Initiation of commitment proceedings involving prisoners.** When any person confined in the Minnesota Correctional Facility-Stillwater or the Minnesota Correctional Facility-St. Cloud is alleged to be mentally ill, the chief executive officer or other person in charge of the correctional facility shall notify the executive board, which shall cause the prisoner to be examined by the court exercising probate jurisdiction of the county where the prisoner is confined, as in the case of other persons who are mentally ill.

Subd. 2. **Transfer of committed prisoners.** In case the prisoner is found to be mentally ill, the prisoner must be transferred by the order of the court to the Minnesota Security Hospital or to a state hospital for people who are mentally ill in the discretion of the court, there to be kept and maintained as in the case of other persons who are mentally ill.

Subd. 3. **Return of prisoners following restoration of mental health.** If, in the judgment of the chief executive officer of the correctional facility the prisoner came from, the prisoner's mental health is restored before the period of commitment to the correctional facility has expired, upon the certificate of the chief executive officer, the executive board shall remove the prisoner from the secure treatment facility and transfer the prisoner to the correctional institution the prisoner came from to complete the sentence.

History: (4529) 1907 c 338 s 2; 1913 c 540 s 1; 1957 c 196 s 1; 1979 c 102 s 13; 1984 c 654 art 5 s 58; 1985 c 21 s 45; 1986 c 444; 1995 c 189 s 8; 1996 c 277 s 1; 2002 c 221 s 17; 2024 c 79 art 4 s 6