

192.25 EXEMPTION FROM PROCESS; TRANSFER TO CIVIL AUTHORITIES.

Subdivision 1. **Exemption from process.** No member of the guard shall be arrested, or served with any summons, order, warrant or other civil process after having been ordered to any duty or while going to, attending or returning from any place to which the member is required to go for military duty; but nothing herein shall prevent an arrest by order of a military officer or for a felony or breach of the peace committed while not in the actual performance of assigned duties. The articles of equipment personally owned by such members shall be exempt from seizure or sale for debt.

Subd. 2. **Transfer to civil authorities.** When probable cause exists that a criminal offense, other than a crime designated as a purely military offense in section 192A.021, has been committed by any officer or enlisted member of the military forces while on duty status other than federal duty, the officer or enlisted member may be turned over by superior officers to the proper civil authorities of the county or municipality in which the offense occurred for adjudication of such crime, to include imposition of pretrial restraint, but trial and punishment by the civil authorities shall not preclude trial and additional punishment or dismissal from the service by court-martial for any military offense resulting from the commission of said crime.

History: (2424) 1921 c 506 s 30; 1986 c 444; 2024 c 100 s 5