401.025 DETENTION AND RELEASE; PROBATIONERS, CONDITIONAL RELEASEES, AND PRETRIAL RELEASEES.

Subdivision 1. **Peace officers and probation officers serving CCA jurisdictions.** If necessary to enforce discipline or to prevent a person on conditional release from escaping or absconding from supervision, the chief executive officer or designee of a CCA jurisdiction has the authority to issue a written order as provided under section 244.1951, subdivisions 1 to 3.

Subd. 2. **Peace officers and probation officers in other counties and state correctional investigators.** (a) The chief executive officer or designee of a CCA jurisdiction has the authority to issue a written order directing any state correctional investigator, peace officer, or probation officer to detain a person under sentence or on probation who:

(1) fails to report to serve a sentence at a local correctional facility;

(2) fails to return from furlough or authorized temporary release from a local correctional facility;

(3) escapes from a local correctional facility; or

(4) absconds from court-ordered home detention.

(b) The chief executive officer or designee of a CCA jurisdiction has the authority to issue a written order directing any state correctional investigator, peace officer, or probation officer to detain any person on court-ordered pretrial release who absconds from pretrial release or fails to abide by the conditions of pretrial release.

(c) An order issued under paragraph (a) or (b) is sufficient authority for the state correctional investigator, peace officer, or probation officer to detain the person.

Subd. 3. **Individuals under Department of Corrections commitment.** All counties and Tribal Nations must comply with the policies prescribed by the commissioner when providing supervision and other correctional services to individuals conditionally released according to sections 241.26, 242.19, 243.05, 243.1605, 244.05, and 244.065, including intercounty transfer of individuals on conditional release and the conduct of presentence investigations.

History: *1998 c 367 art 7 s 9; 2009 c 59 art 4 s 5; 2009 c 86 art 1 s 68; 2023 c 52 art 17 s 17*