631.09 JURY DELIBERATION; ACCOMMODATIONS.

At the close of the evidence and after the court has charged the jury, the jury may decide the case in court or retire for deliberation. If the jury cannot agree on a verdict without retiring, the court shall swear one or more officers to take charge of the jury. The jury must be kept together in some private and convenient place. No person may be permitted to speak or communicate with any juror, unless by order of court, nor may a person listen to its deliberations. The jury must be returned to court upon agreeing on a verdict or when so ordered by the court. In case of mixed juries counties shall provide adequate, separate quarters for male and female jurors with proper accommodations. If the county fails to provide proper accommodations, the court shall order the jurors to be housed in a suitable hotel for the night.

This section applies only if the jury has failed to agree.

History: *(10713, 10713-1) RL s 5366; 1927 c 210 s 1,2; 1981 c 31 s 21; 1985 c 265 art 11 s 1; 1Sp1985 c 16 art 1 s 4*

NOTE: See *State v. Drew*, 889 N.W.2d 323 (Minn. Ct. App. 2017) for application of this section when Minnesota Rules of Criminal Procedure 26.03, subdivision 5, also applies.