

241.014 SECURITY AUDITS FOR STATE CORRECTIONAL FACILITIES.

Subdivision 1. **Purpose.** This section applies to state correctional facilities.

Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Audit group" means the state correctional facilities security audit group under subdivision 5.

(c) "Corrections and detention confidential data" has the meaning given in section 13.85, subdivision 3.

(d) "Security information" has the meaning given in section 13.37, subdivision 1.

Subd. 3. **Biennial report and audit of security practices.** The department's inspection unit must conduct biennial security audits of each state correctional facility using the standards established by the audit group. The inspection unit must:

(1) prepare a report for each audit; and

(2) submit the report to the audit group within 30 days of completing the audit.

Subd. 4. **Data.** (a) Corrections and detention confidential data and security information contained in reports and records of the audit group:

(1) must maintain that classification, regardless of the data's classification in the hands of the person who provided the data; and

(2) are not subject to discovery or introduction into evidence in a civil or criminal action against the state arising out of any matter that the audit group is reviewing.

(b) Information, documents, and records otherwise available from other sources are not immune from discovery or use in a civil or criminal action solely because the information, documents, and records were acquired during an audit.

(c) Nothing in this subdivision limits a person who presented information to the audit group or who is an audit group member from testifying about matters within the person's knowledge. In a civil or criminal proceeding, a person must not be questioned about the person's good faith presentation of information to the audit group or opinions formed by the person as a result of an audit.

Subd. 5. **State correctional facilities security audit group.** (a) The commissioner must form a state correctional facilities security audit group. The audit group must consist of the following members:

(1) a department employee who is not assigned to the correctional institutions division, appointed by the commissioner;

(2) the ombudsperson for corrections or a designee;

(3) an elected sheriff or designee nominated by the Minnesota Sheriffs' Association, appointed by the commissioner;

(4) an individual with expertise in security related to infrastructure and operational logistics of correctional facilities who is not required to reside in Minnesota, appointed by the governor;

(5) the commissioner of health or a designee;

(6) the commissioner of administration or a designee;

(7) two senators, one appointed by the senate majority leader and one appointed by the senate minority leader; and

(8) two representatives, one appointed by the speaker of the house and one appointed by the minority leader of the house of representatives.

(b) The ombudsperson chairs the audit group. The audit group must establish security audit standards for state correctional facilities. In developing the standards, the audit group, or individual members of the audit group, may gather information from state correctional facilities and state correctional staff and inmates. The audit group must:

(1) periodically review and modify the standards as needed; and

(2) report the standards to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over public safety policy and finance when the standards are modified.

(c) The audit group must meet twice annually to review facility audit reports submitted to the audit group by the department's inspection unit. Notwithstanding any law to the contrary, the audit group may review the full audit reports, including but not limited to corrections and detention confidential data and security information.

(d) Within 60 days of meeting to review an audit report from the department's inspection unit, the audit group must make recommendations to the commissioner. Within 45 days of receiving the audit group's recommendations, the commissioner must respond in writing to the audit group's findings and recommendations. The commissioner's response must explain:

(1) whether the commissioner will implement the audit group's recommendations;

(2) the timeline for implementing the recommendations; and

(3) if the commissioner will not implement the recommendations, why the commissioner will not or cannot implement the recommendations.

(e) The commissioner must include a written aggregate of the audit group's recommendations based on each security audit and assessment of a state correctional facility and the commissioner's responses to the recommendations in the biennial report under section 241.016, subdivision 1. The commissioner must not include corrections and detention confidential data and security information in the commissioner's report.

(f) The commissioner must provide staffing and administrative support to the audit group.

Subd. 6. **Compensation.** Except as otherwise provided in this subdivision, the terms, compensation, and removal of audit group members are governed by section 15.059. Audit group members serve without compensation but may receive expense reimbursement.

Subd. 7. **Expiration.** Notwithstanding section 15.059, subdivision 6, the audit group does not expire.

Subd. 8. **Open meeting law.** The audit group is not subject to chapter 13D.

History: 2026 c 97 art 5 s 4