

1.1 moves to amend H.F. No. 2562 as follows:

1.2 Page 1, after line 5, insert:

1.3 "Section 1. **[260B.1755] LAW ENFORCEMENT DIVERSION OF NONVIOLENT**
1.4 **JUVENILE OFFENDERS AUTHORIZED.**

1.5 (a) A peace officer may refer a child that the officer has the lawful authority to arrest
1.6 or has arrested to a diversion program that the law enforcement agency with jurisdiction
1.7 over the child deems appropriate.

1.8 (b) This section applies only to nonviolent offenses and does not apply to peace
1.9 officers acting pursuant to an order or warrant described in section 260B.175, subdivision
1.10 1, paragraph (a), or other court order to take a child into custody.

1.11 (c) A diversion program authorized by this section may defer prosecution of
1.12 juvenile offenders who agree to complete appropriate conditions. Upon completion of the
1.13 conditions, the charge shall be dismissed. Both petty offenders and delinquents may be
1.14 diverted.

1.15 Sec. 2. Minnesota Statutes 2012, section 260B.198, subdivision 7, is amended to read:

1.16 Subd. 7. **Continuance.** (a) When it is in the best interests of the child to do so and
1.17 not inimical to public safety and when the child has admitted the allegations contained in
1.18 the petition before the judge or referee, or when a hearing has been held as provided for in
1.19 section 260B.163 and the allegations contained in the petition have been duly proven but,
1.20 in either case, before a finding of delinquency has been entered, the court may continue
1.21 the case for a period not to exceed 90 ~~90~~ 180 days on any one order. ~~Such a continuance may~~
1.22 be extended for one additional successive period not to exceed 90 days and only after the
1.23 court has reviewed the case and entered its order for an additional continuance without a
1.24 finding of delinquency. The continuance may be extended for one additional successive
1.25 period not to exceed 180 days, but only with the consent of the prosecutor and only after
1.26 the court has reviewed the case and entered its order for the additional continuance

2.1 without a finding of delinquency. During this a continuance the court may enter an order
2.2 in accordance with the provisions of subdivision 1, elause (1) or (2), except clause (4), or
2.3 enter an order to hold the child in detention for a period not to exceed 15 days on any one
2.4 order for the purpose of completing any consideration, or any investigation or examination
2.5 ordered in accordance with the provisions of section 260B.157.

2.6 (b) A prosecutor may appeal a continuance ordered in contravention of this
2.7 subdivision. This subdivision does not extend to the court's jurisdiction under section
2.8 260B.193 and does not apply to an extended jurisdiction juvenile proceeding.

2.9 **EFFECTIVE DATE.** This section is effective August 1, 2014, and applies to
2.10 offenses committed on or after that date.

2.11 Sec. 3. Minnesota Statutes 2012, section 388.24, subdivision 1, is amended to read:

2.12 Subdivision 1. **Definition.** As used in this section:

2.13 (1) a child under the jurisdiction of the juvenile court is an "offender" if:

2.14 (i) the child is petitioned for, or probable cause exists to petition or take the child into
2.15 custody for, a felony, gross misdemeanor, ~~or~~ misdemeanor, petty misdemeanor, juvenile
2.16 petty, or juvenile traffic offense, other than an offense against the person, but has not yet
2.17 entered a plea in the proceedings;

2.18 (ii) the child has not previously been adjudicated in Minnesota or any other state for
2.19 any offense against the person; and

2.20 (iii) the child has not previously been petitioned for an offense in Minnesota and
2.21 then had the petition dismissed as part of a diversion program, including a program that
2.22 existed before July 1, 1995; and

2.23 (2) "pretrial diversion" means the decision of a prosecutor to refer an offender to a
2.24 diversion program on condition that the delinquency petition against the offender will be
2.25 dismissed or the petition will not be filed after a specified period of time if the offender
2.26 successfully completes the program.

2.27 Sec. 4. **WORKING GROUP ESTABLISHED.**

2.28 (a) The commissioner of corrections shall convene a working group consisting of
2.29 representatives of public safety officials, court officials, county attorneys, juvenile justice
2.30 advocates, corrections officials, probation officials, and other interested parties to meet and
2.31 confer regarding issues related to risk assessment instruments and their use to determine
2.32 juvenile detention and noncustodial supervision.

2.33 (b) The working group shall provide a written report of recommendations by
2.34 November 15, 2014, to the chairs and ranking minority members of the house of

3.1 representatives and senate committees having jurisdiction over criminal justice issues. The
3.2 report must summarize the working group's activities and include its recommendations
3.3 and draft legislation.

3.4 **EFFECTIVE DATE.** This section is effective the day following final enactment."

3.5 Renumber the sections in sequence and correct the internal references

3.6 Amend the title accordingly