

# House Research Act Summary

**CHAPTER:** 291

**SESSION:** 2000 Regular Session

**TOPIC:** Department of Corrections Fugitive Apprehension Unit

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## Overview

This act authorizes creation of a fugitive apprehension unit in the Department of Corrections. The act also provides that the individuals employed within this unit are licensed peace officers and that the unit is a law enforcement agency subject to various state laws.

### 1 **Department of Corrections Fugitive Apprehension Unit.**

**Subd. 1. Authorization.** Authorizes the commissioner of corrections to establish a law enforcement agency known as the department of corrections fugitive apprehension unit. Provides that the agency shall perform the duties necessary to make statewide arrests consistent with state law. Specifies that the agency's jurisdiction is limited to the arrest of department of corrections' discretionary and statutory released violators and department of corrections' escapees. Allows the commissioner of corrections to appoint peace officers and specifies that these officers shall serve in the classified service, subject to state law provisions on merit principles and nondiscrimination.

**Subd. 2. Limitations.** Requires the initial processing of a person arrested by the fugitive apprehension unit for an offense within the agency's jurisdiction to be the responsibility of the unit unless otherwise directed by the law enforcement agency with primary jurisdiction. Provides that a subsequent investigation is the responsibility of the law enforcement agency of the jurisdiction where a new crime is committed. Specifies that fugitive apprehension unit members are not authorized to apply for a search warrant.

**Subd. 3. Policies.** Requires the fugitive apprehension unit to develop and file all policies required under state law and to develop a policy for contacting city and county law enforcement agencies before initiating fugitive surveillance, investigation, or apprehension within the city or county. Sets dates by which the policies must be filed. Requires the department of corrections to train officers regarding these policies.

**Subd. 4. Chief law enforcement officer.** Requires the commissioner of corrections to appoint a full-time peace officer to serve as the chief law enforcement officer responsible for management of the fugitive apprehension unit. Requires this person to serve in the classified services subject to state law provisions on merit principles and nondiscrimination. Requires this person to possess the necessary police and management experience to manage a law enforcement agency. Specifies that this person will have supervisory responsibility for all fugitive apprehension unit members.

Requires supervisory personnel to be available any time fugitive apprehension members are on duty. Prohibits the chief law enforcement officer from hiring part-time peace officers.

**Subd. 5. Emergencies.** Establishes procedures the fugitive apprehension unit must follow in emergency situations. These procedures include:

ensuring that all emergency vehicles used by the unit are equipped with radios capable of receiving and transmitting on the same frequencies used by the law enforcement agencies that have primary jurisdiction;

notifying the public safety agency with primary jurisdiction when it receives an emergency call and coordinating the appropriate response; and

notifying the primary jurisdiction of the unit's response to any emergency.

**Subd. 6. Compliance.** Except as provided in this section, requires the fugitive apprehension unit to comply with all other statutes, including deadly force training, and all administrative rules relating to the operation and management of a law enforcement agency.

2 **Definitions.** Amends the definition of licensed peace officer under Minnesota law to include department of corrections' fugitive apprehension unit officers.