

# House Research Act Summary

**CHAPTER:** 359

**SESSION:** 2000 Regular Session

**TOPIC:** Commitment procedures; sexually dangerous persons and persons with sexual

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## Overview

This act changes the procedures governing the transfer to a correctional facility of a person who is civilly committed as a sexually dangerous person or person with a sexual psychopathic personality. Current law allows such a transfer if the commissioner of human services and a special review board deem the transfer appropriate based upon certain factors. This act eliminates the requirement for this review and requires the transfer. This act also mandates a study of various issues related to sex offenders.

- 1 **Transfer to correctional facility.** Amends the section of law pertaining to individuals committed as sexually dangerous persons and persons with sexual psychopathic personalities who are later committed to the custody of the commissioner of corrections according to the procedures that apply to the transfer of a person who is mentally ill and dangerous, or according to the factors set forth in this section. The appropriateness of this determination is made by the commissioner of human services and a special review board.

This act *requires* the person to be transferred to a facility designated by the commissioner of corrections without regard to the procedures that apply to a person who is mentally ill or dangerous or the factors provided in current law.

Current law also provides that, when a person who is committed under this section finishes serving the person's sentence in a correctional facility, the person shall be transferred to a regional center designated by the commissioner of human services. This act specifies that the person shall instead be transferred to a treatment program.

- 2 **Sex offender management report.**

**Subd. 1. Report required.** Requires the commissioner of corrections, in consultation with other designated parties, to report to the legislature by December 15 on the items in this section. Specifies that recommendations requiring legislative action must include draft language and

preliminary fiscal notes.

**Subd. 2. Sex offender policy and management oversight.** Requires the report to include a plan for a sex offender policy and management oversight group to monitor, review, and evaluate the state's system of responding to sexual offenses; to provide research and analysis; and to recommend policies and best practices. Also requires the commissioner to explore models for the group to foster systemwide collaboration.

**Subd. 3. Corrections and human services collaborative workgroup.** Requires the report to include the results and future work plan of the workgroup.

**Subd. 4. Information about civilly committed offenders.** Requires the report to include an analysis of the cases of individuals who are civilly committed, of the criminal sentences imposed on individuals, recidivism, and other factors.

**Subd. 5. Sex offender sentencing practices.** Requires the report to include an analysis by the sentencing guidelines commission of sex offender sentencing practices over the last decade, implementation of certain mandatory sentencing laws, and recommendations.

3 **Effective date.** The day following final enactment.