

# House Research Act Summary

**CHAPTER:** 480

**SESSION:** 2000 Regular Session

**TOPIC:** County Attorney Access to Data on Prospective Sexual Psychopath/Sexually Dangerous Person Civil Commitment Subjects

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## Overview

The act (1) allows a county attorney, or the attorney general acting as designee, to move the court to obtain specified information on an individual who is proposed to be committed as a sexually dangerous person or sexual psychopath, and (2) provides standards for the court to follow in granting such a motion.

- 1 **County attorney access to data.** Adds a new subdivision to the statute on commitment of sexual psychopaths and sexually dangerous persons. Allows a county attorney (1) before filing a commitment petition, and (2) upon notice to the proposed patient, to move the court to allow access to information on the proposed patient. The information may be used to determine (1) whether good cause exists to file a commitment petition, and (2) if a petition is filed, to support the allegations in it.

Authorizes the court to grant the motion for access if (1) the department of corrections has referred the case for commitment under this statutory section, or (2) upon a showing that the requested kind of information may be relevant to the county attorney's determination.

Provides that notice to the proposed patient is not required if it may result in harm to or harassment of interested persons or potential witnesses.

Provides that data collected under this law returns its original status and, if not public, is inadmissible in a court proceeding other than commitment, unless otherwise permitted.