

HOUSE RESEARCH

Bill Summary

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Authors: Cornish

Subject: Earned compliance credits; correctional supervision

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Overview

This bill creates an “earned compliance credits” program that may reduce an offender’s probation or supervised release period, if the offender fulfills a case plan, has no new arrests, complies with treatment, and makes scheduled payments for restitution, child support, and fines.

Section

1 Earned compliance credits.

Subd. 1. Definitions. Defines agency, case plan, compliance credit, correctional supervision, and supervised individual.

Subd. 2. Credit required. Requires an agency to award credit and, when appropriate, discharge an individual from correctional supervision as provided in this section.

Subd. 3. Process. Para (a) outlines the process for computing and awarding earned compliance credit. If the individual is on probation, the agency shall inform the court of the credit and the court may award the credit. If the individual is on supervised release, the agency shall determine if credit is earned and award it. Para (b) clarifies that compliance credits do not vest until the person is discharged from supervision and that a violation at any time may result in revocation of all or a portion of previously earned credit.

Subd. 4. Exceptions. Para (a) provides that earned credit cannot reduce a court-ordered period of conditional release following incarceration for felony DWI, predatory offender registration offense, assault of secure treatment facility personnel,

Section

dangerous sex offenses, and child pornography offenses. Para (b) allows an agency or court to determine that an individual is ineligible for earned compliance credit due to offense or individual characteristics.

Subd. 5. Discharge from supervision. Para (a) directs an agency to discharge an individual upon reaching completion of supervision period after accounting for earned credits. Provides that the court makes this determination for probationers. Para (b) clarifies that discharge under this section restores a person's civil rights.

Subd. 6. Judicial review. Exempts award or revocation of earned compliance credits from judicial review.

Subd. 7. Conflicting law superseded. Clarifies this section supersedes other laws.

Subd. 8. Reporting. Para (a) directs each agency to provide an annual report to the commissioner of corrections on the earned compliance program. Para (b) directs the commissioner to make a biennial report to the legislature on the program.

Effective. August 1, 2016, and applies to individuals under correctional supervision on or after that date.

2 Conforming statutory changes. Revisor's instruction.