

Subject Omnibus Corrections Bill

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Overview

This amendment contains a variety of policy provisions impacting state and local corrections.

Summary

Section	Description
1	Mental health screening. Contains a cross-reference in the data practices chapter to data collected pursuant to section 12. [H.F. 1575]
2	Ombudsman for corrections. Contains a cross-reference to the re-established Ombudsman for Corrections under sections 6 to 12. [H.F. 1399]
3 to 4	Security screening equipment. Regulates security screening systems as they are used in correctional facilities. [H.F. 733]
5	Commissioner, powers and duties. Prohibits the commissioner of corrections from housing inmates in privately owned jails and prisons after July 1, 2019. [H.F. 1237]
6 to 12	Office of the Ombudsman for Corrections. Re-establishes the Ombudsman for Corrections which the legislature eliminated in 2003. The ombudsman is tasked with promoting “the highest standards of competence, efficiency, and justice in the administration of corrections.” The ombudsman is empowered with the authority to investigate decisions, acts, and other matters of the Department of Corrections. The bill delineates the specific powers granted to the ombudsman, including subpoena power, the right to access agency data and information, and the authority to file suit to invoke its powers. Further, the bill defines the scope of appropriate investigations and authorizes the ombudsman to investigate complaints from jails and detention facilities.

Section	Description
	<p>The bill also provides guidance on ombudsman qualifications, employee selection, access to data, complaint form and handling, publication of ombudsman recommendations, and annual reports. Finally, the bill proposes a blank appropriation to fund the office of the ombudsman. [H.F. 1399]</p>
13	<p>Administrative and disciplinary segregation.</p> <p>Subd. 1. Authorization. Establishes the grounds that the Commissioner of Corrections can rely upon to place an inmate in segregation.</p> <p>Subd. 2. Conditions in segregated housing. Establishes the minimum conditions that the commissioner must offer inmates in segregated housing.</p> <p>Subd. 3. Review of disciplinary segregation status. Establishes mandatory review periods for inmates in segregated housing.</p> <p>Subd. 4. Graduated disciplinary sanctions. Requires the commissioner to design and implement a graduated scale of responses to infractions.</p> <p>Subd. 5. Mental health assessments; transfer to treatment. Requires inmates placed in segregation to be assessed for mental illness. If an inmate is diagnosed with an acute mental illness, the inmate should be placed in an alternative setting.</p> <p>Subd. 6. Mental health care within segregated housing. Requires regular mental health checks of inmates in segregation.</p> <p>Subd. 7. Incentives for return to the general population. Requires the commissioner to design and implement a system of incentives for inmates to return to the general population.</p> <p>Subd. 8. Discharge from segregated housing. Prohibits the commissioner from releasing an inmate directly to the community from segregated housing. Requires a mental health exam before an inmate who served more than 30 days in segregation returns to the general population.</p> <p>Subd. 9. Reporting. Requires the commissioner to prepare an annual report to the legislature detailing the commissioner's use of segregated housing.</p> <p>[H.F. 493]</p>
14	<p>Private prison contract prohibited.</p> <p>Prohibits the commissioner of corrections from entering into a contract with privately owned and operated prisons to care for state inmates. [H.F. 1237]</p>

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15	<p>Removal of data from system.</p> <p>The Bureau of Criminal Apprehension (BCA) maintains a computerized criminal gang investigative data system for the purpose of assisting criminal justice agencies in the investigation and prosecution of criminal activity by gang members. An individual's information is placed in the database if that individual is involved in criminal gang activity and meets at least three of the nine criteria established by the Violent Crime Coordinating Council. Under current law, the BCA must destroy data entered into the system within three years of entry unless the individual is convicted, adjudicated delinquent, or has a stayed adjudication during the three year period after data is entered into the system. In that case, records are maintained for an additional three years.</p> <p>This bill allows the BCA to retain records for three years after a person is released from the custody of the commissioner of corrections if the commissioner documents activities meeting the criminal gang identification criteria that took place while the inmate was confined in a state correctional facility. [H.F. 339]</p>
16	<p>Same sex escort for inmates being transferred.</p> <p>Establishes an exclusion to the requirement that inmates transferred more than 100 miles receive a custodial escort of the same sex as the transferee when the vehicle used to for the transfer is equipped with video and audio recording equipment that actively records the portion of the vehicle where the transferee is held for the duration of the transfer. Requires the recording to be stored for at least 12 months after the date of transfer.</p> <p>[H.F. 1020]</p>
17	<p>Placement in private prisons prohibited.</p> <p>Prohibits the placement of jail inmates in privately owned facilities. [H.F. 1237]</p>
18	<p>Local correctional officers discipline procedures.</p> <p>Creates a local correctional discipline procedures act. Establishes minimum standards for obtaining formal statements of local correctional officers who are named in a complaint. Regulates:</p> <ul style="list-style-type: none">▪ the place a formal statement may be taken;▪ what constitutes an actionable complaint;▪ disclosure of witness statements to the accused correctional officer;▪ the timing of formal statement sessions;▪ maintenance of a record of proceedings;▪ the presence of union representation at proceedings;▪ advance notice of evidence against the accused; and▪ other related matters. <p>[H.F. 2010]</p>

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19	<p>Intake procedure; approved mental health screening.</p> <p>Permits a sheriff or local corrections official to share certain mental health data on inmates. Allows a jail to refer an inmate to county human services personnel in order to arrange services after the inmate is released. The bill also allows a jail to share private data on an inmate in order to:</p> <ul style="list-style-type: none">▪ assist the inmate in applying for medical assistance of MinnesotaCare;▪ refer the inmate for case management by a county;▪ assist the inmate in obtaining state photo identification;▪ secure an appointment with a mental health provider;▪ obtain necessary medications; or▪ provide behavioral health service coordination. <p>[H.F. 1575]</p>
20	<p>Coordinated crisis response plan.</p> <p>This bill creates and funds a pilot program to address mental health issues among correctional officers and inmates at the Stillwater Correctional Facility. The bill requires a report to the legislature on the pilot program’s impact and outcomes. [H.F. 1948]</p>
21	<p>Appropriation; Correctional officers.</p> <p>Appropriates money to the commissioner of corrections to hire an additional 328 correctional officers over the next 4 years. [H.F. 1315]</p>
22	<p>Appropriation; Corrections.</p> <p>Appropriates funds to finance the development and implementation of the crisis response plan under section 20. [H.F. 1948]</p> <p>Appropriates funds to re-establish the Ombudsman for Corrections. [H.F. 1399]</p>
23	<p>Appropriation; Commissioner of health.</p> <p>Appropriates \$29,000 in fiscal year 2020 and \$21,000 in fiscal year 2021 from the state government special revenue fund to the commissioner of health. [H.F. 733]</p>



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