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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 1368

02/22/2021 Authored by Mariani
The bill was read for the first time and referred to the Committee on Public Safety and Criminal Justice Reform Finance and Policy
03/15/2021 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time

1.1 A bill for an act
1.2 relating to corrections; authorizing the Department of Corrections Fugitive
1.3 Apprehension Unit to exercise general law enforcement duties during the course
1.4 of official duties; amending Minnesota Statutes 2020, section 241.025, subdivisions
1.5 1, 2, 3.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2020, section 241.025, subdivision 1, is amended to read:

1.8 Subdivision 1. Authorization. The commissioner of corrections may appoint peace
1.9 officers, as defined in section 626.84, subdivision 1, paragraph (c), who shall serve in the
1.10 classified service subject to the provisions of section 43A.01, subdivision 2, and establish
1.11 a law enforcement agency, as defined in section 626.84, subdivision 1, paragraph (f), known
1.12 as the Department of Corrections Fugitive Apprehension Unit, to perform the duties necessary
1.13 to make statewide arrests under sections 629.30 and 629.34. The jurisdiction of the law
1.14 enforcement agency is limited to primarily the arrest of Department of Corrections'
1.15 discretionary and statutory released violators and Department of Corrections' escapees. The
1.16 Department of Corrections Fugitive Apprehension Unit may exercise general law enforcement
1.17 duties during the course of official duties, including carrying out law enforcement activities
1.18 in coordination with the law enforcement agency of jurisdiction, investigating criminal
1.19 offenses in agency-operated correctional facilities and surrounding property, and assisting
1.20 other law enforcement agencies upon request.

1.21 Sec. 2. Minnesota Statutes 2020, section 241.025, subdivision 2, is amended to read:

1.22 Subd. 2. Limitations. The initial processing of a person arrested by the fugitive
1.23 apprehension unit for an offense within the agency's jurisdiction is the responsibility of the

2.1 fugitive apprehension unit unless otherwise directed by the law enforcement agency with
2.2 primary jurisdiction. A subsequent investigation is the responsibility of the law enforcement
2.3 agency of the jurisdiction ~~in which a new crime is committed~~ unless the law enforcement
2.4 agency authorizes the fugitive apprehension unit to assume the subsequent investigation.
2.5 At the request of the primary jurisdiction, the fugitive apprehension unit may assist in
2.6 subsequent investigations or law enforcement efforts being carried out by the primary
2.7 jurisdiction. Persons arrested for violations that the fugitive apprehension unit determines
2.8 are not within the agency's jurisdiction must be referred to the appropriate local law
2.9 enforcement agency for further investigation or disposition.

2.10 Sec. 3. Minnesota Statutes 2020, section 241.025, subdivision 3, is amended to read:

2.11 Subd. 3. **Policies.** The fugitive apprehension unit must develop and file all policies
2.12 required under state law for law enforcement agencies. The fugitive apprehension unit also
2.13 must develop a policy for contacting law enforcement agencies in a city or county before
2.14 initiating any fugitive surveillance, investigation, or apprehension within the city or county.
2.15 ~~These policies must be filed with the board of peace officers standards and training by~~
2.16 ~~November 1, 2000.~~ Revisions of any of these policies must be filed with the board within
2.17 ten days of the effective date of the revision. The Department of Corrections shall train all
2.18 of its peace officers regarding the application of these policies.