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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2562

03/03/2014 Authored by Hortman

The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

03/27/2014 Adoption of Report: Re-referred to the Committee on Health and Human Services Finance

1.1 A bill for an act
1.2 relating to public safety; establishing a working group to study and make
1.3 recommendations on how to address mentally ill offenders who are arrested or
1.4 subject to arrest; requiring a report.

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

1.6 Section 1. **MENTALLY ILL OFFENDERS ARRESTED OR SUBJECT TO**
1.7 **ARREST; WORKING GROUP.**

1.8 **Subdivision 1. Working group established; study and draft legislation required.**

1.9 The commissioners of corrections and human services shall convene a working group
1.10 to address issues related to offenders with mental illness who are arrested or subject
1.11 to arrest. The working group shall consider the special needs of these offenders and
1.12 determine how best to provide for these needs. Specifically, the group shall consider the
1.13 efficacy of a facility that would serve as a central point for accepting, assessing, and
1.14 addressing the needs of offenders with mental illness brought in by law enforcement as an
1.15 alternative to arrest or following arrest. The facility would consolidate and coordinate
1.16 existing resources as well as offer new resources that would provide a continuum of care
1.17 addressing the immediate, short-term, and long-term needs of these offenders. The facility
1.18 would do the following for these offenders: perform timely, credible, and useful mental
1.19 health assessments; identify community placement opportunities; coordinate community
1.20 care; make recommendations concerning pretrial release when appropriate; and, in some
1.21 cases, provide direct services to offenders at the facility or in nearby jails. The working
1.22 group shall establish criteria to determine which offenders may be admitted to the facility.
1.23 The facility would be located in the metropolitan region and serve the needs of nearby
1.24 counties. The facility would represent a partnership between the state, local units of

2.1 government, and the private sector. In addition, the working group may consider how
2.2 similar facilities could function in outstate areas. When studying this issue, the working
2.3 group shall examine what other states have done in this area to determine what programs
2.4 have been successful and use those programs as models in developing the program in
2.5 Minnesota. The working group may also study and make recommendations on other ways
2.6 to improve the process for addressing and assisting these offenders.

2.7 Subd. 2. **Membership.** The commissioners shall ensure that the working group
2.8 has expertise and a broad range of interests represented, including, but not limited to:
2.9 prosecutors; law enforcement, including jail staff; correctional officials; probation
2.10 officials; criminal defense attorneys; judges; county and city officials; mental health
2.11 advocates; mental health professionals; and hospital and health care officials.

2.12 Subd. 3. **Administrative issues.** The commissioners shall convene the first meeting
2.13 of the working group by September 1, 2014. The departments of corrections and human
2.14 services shall provide meeting space and administrative support to the working group.
2.15 The working group shall select a chair from among its members.

2.16 Subd. 4. **Report required.** By December 15, 2015, the working group shall submit a
2.17 report to the chairs and ranking minority members of the senate and house of representatives
2.18 committees and divisions having jurisdiction over human services and public safety. The
2.19 report must summarize the working group's activities and include its recommendations
2.20 and draft legislation. The recommendations must be specific and include estimates of the
2.21 costs involved in implementing the recommendations, including the funding sources that
2.22 might be used to pay for it. The working group shall explore potential funding sources
2.23 at the federal, local, and private levels, and provide this information in the report. In
2.24 addition, the report must include draft legislation to implement the recommendations.