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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3937

02/19/2024 Authored by Curran
The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy
02/26/2024 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; modifying membership and meetings of state correctional
1.3 facilities security audit group; amending Minnesota Statutes 2022, section 241.021,
1.4 subdivision 1h.

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

1.6 Section 1. Minnesota Statutes 2022, section 241.021, subdivision 1h, is amended to read:

1.7 Subd. 1h. State correctional facilities security audit group. (a) Beginning in fiscal
1.8 year 2022, the commissioner shall form a state correctional facilities security audit group.
1.9 The group must consist of the following members:

1.10 (1) a Department of Corrections employee who is not assigned to the correctional
1.11 institutions division, appointed by the commissioner;

1.12 (2) the ombudsperson for corrections or a designee;

1.13 (3) an elected sheriff or designee nominated by the Minnesota Sheriffs' Association and
1.14 appointed by the commissioner;

1.15 (4) a physical plant safety consultant, appointed by the governor;

1.16 (5) a private security consultant with expertise in correctional facility security, appointed
1.17 by the governor;

1.18 (4) an individual with expertise in security related to infrastructure and operational
1.19 logistics of correctional facilities who is not required to reside in Minnesota, appointed by
1.20 the governor;

1.21 (5) the commissioner of health or a designee;

2.1 (6) the commissioner of administration or a designee;

2.2 ~~(6)~~ (7) two senators, one appointed by the senate majority leader and one appointed by
2.3 the minority leader; and

2.4 ~~(7)~~ (8) two representatives, one appointed by the speaker of the house and one appointed
2.5 by the minority leader of the house of representatives.

2.6 (b) ~~By January 1, 2022,~~ The ombudsperson or a designee shall chair the group. The
2.7 group shall establish security audit standards for state correctional facilities. In developing
2.8 the standards, the group, or individual members of the group, may gather information from
2.9 state correctional facilities and state correctional staff and inmates. The security audit group
2.10 must periodically review the standards and modify them as needed. The group must report
2.11 the standards to the chairs and ranking minority members of the house of representatives
2.12 and senate committees with jurisdiction over public safety policy and finance ~~by February~~
2.13 ~~15, 2022~~ whenever the standards are updated.

2.14 (c) The group shall meet twice a year to review facility audit reports submitted to the
2.15 group by the agency's inspection unit. Notwithstanding any law to the contrary, the group
2.16 is entitled to review the full audit reports including nonpublic security information and
2.17 corrections and detention confidential data. Within 60 days of ~~receiving an~~ meeting to review
2.18 ~~audit report~~ reports from the department's inspection unit, the group must make
2.19 recommendations to the commissioner. Within 45 days of receiving the group's
2.20 recommendations, the commissioner must reply in writing to the group's findings and
2.21 recommendations. The commissioner's response must explain whether the agency will
2.22 implement the group's recommendations, the timeline for implementation of the changes,
2.23 and, if not, why the commissioner will not or cannot implement the group's recommendations.

2.24 (d) Beginning in 2023, the commissioner must include a written aggregate of the group's
2.25 recommendations based on each security audit and assessment of a state correctional facility
2.26 and the commissioner's responses to the recommendations in the biennial report required
2.27 under section 241.016, subdivision 1. The commissioner shall not include corrections and
2.28 detention confidential data, as defined in section 13.85, subdivision 3, and nonpublic security
2.29 information, as defined in section 13.37, subdivision 1, in the commissioner's report to the
2.30 legislature.

2.31 (e) The commissioner shall provide staffing and administrative support to the group.

2.32 (f) The state correctional facilities security audit group is not subject to chapter 13D.

- 3.1 (g) Except as otherwise provided in this paragraph, the terms, compensation, and removal
3.2 of members of the group are governed by section 15.059. Members of the group serve
3.3 without compensation but shall receive expense reimbursement. Notwithstanding section
3.4 15.059, subdivision 6, the group does not expire.