A bill for an act

relating to public safety; establishing an earned compliance credit program for persons on supervised release; providing for rulemaking; proposing coding for new law in Minnesota Statutes, chapter 244.

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

Section 1. **[244.40] SHORT TITLE.**

Sections 244.40 to 244.42 may be cited as the "Earned Compliance Credit Act."

Sec. 2. **[244.41] DEFINITIONS.**

(a) For purposes of sections 244.40 to 244.42, the terms in this section have the meanings given them.

(b) "Agency" means:

(1) the Department of Corrections; and

(2) any regional, local, or county governmental agencies responsible for supervising individuals placed on probation by the courts or serving a period of parole or postrelease supervision from prison or jail, provided such agencies receive state funding.

(c) "Case plan" means an individualized accountability and behavior change strategy for supervised individuals that:

(1) targets and prioritizes the specific criminal risk factors of the offender;

(2) matches programs to the offender's individual characteristics, such as gender, culture, motivational stage, developmental stage, and learning style;

(3) establishes a timetable for achieving specific behavioral goals, including a schedule for payment of victim restitution, child support, and other financial obligations; and

(4) specifies positive and negative actions that will be taken in response to the supervised individual's behaviors.

(d) "Compliance credit" means 15 days for every month that a supervised individual does all of the following:

(1) fulfills the terms of the supervised individual's case plan;

(2) has no new arrests; and

(3) makes scheduled monthly payments for restitution, fines, and fees.

(e) "Supervised individual" means an individual placed on probation by the courts or serving a period of parole or postrelease supervision from prison or jail.

Sec. 3. **[244.42] EARNED COMPLIANCE CREDITS.**

(a) The agency shall:

(1) award earned compliance credits to a supervised individual who satisfies the requirements specified in the individual's case plan; and

(2) place a supervised individual in a nonactive supervision status for the number of days earned as compliance credits.

(b) For supervised individuals in nonactive supervision, the agency shall submit a petition to the court or releasing authority to request that the period of supervision be reduced by the number of days of compliance credits earned by the individual, when the supervised individual has no outstanding restitution, fines, or fees.

(c) The court or releasing authority may adjust the period of a supervised individual's supervision on the recommendation of the agency for earned compliance credits.

(d) The agency shall adopt rules for the forfeiture of earned compliance credits for supervised individuals who violate conditions of supervision. The rules shall provide that:

(1) forfeiture is part of the agency's system of graduated sanctions;

(2) the extent of earned compliance credits forfeited is related to the level of severity of the violation;

(3) forfeiture of earned compliance credits is limited to credits already earned, and may not prospectively deny future earned compliance credits; and

(4) a procedure is established for the restoration of forfeited earned compliance credits based on the supervised individual's compliance with supervision conditions and progress in achieving the goals of the supervised individual's case plan.

Sec. 4. **EFFECTIVE DATE.**

Sections 1 to 3 are effective August 1, 2009.