

# MINNESOTA STATUTES 1974

## CHAPTER 243

### MINNESOTA CORRECTIONS AUTHORITY; ADULTS

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- 243.01 [Repealed, 1963 c 753 art 2 s 17]
- 243.02 [Repealed, 1973 c 654 s 14]
- 243.03 [Repealed, 1973 c 654 s 14]
- 243.04 [Repealed, 1973 c 654 s 14]

**243.05 AUTHORITY; POWERS, LIMITATIONS.** The Minnesota corrections authority may parole any person sentenced to confinement in the state prison, the state reformatory, or the Minnesota correctional institution for women, provided that no convict serving a life sentence for murder other than murder committed in violation of clause (1) of section 609.185 who has not been previously convicted of a felony shall be paroled until he has served 20 years, less the diminution which he would have been allowed for good conduct had his sentence been for 20 years; and provided further that no convict serving a life sentence for murder who has been previously convicted of a felony or though not previously convicted of a felony is serving a life sentence for murder in the first degree committed in violation of clause (1) of section 609.185 shall be paroled until he has served 25 years, less the diminution which would have been allowed for good conduct had his sentence been for 25 years; provided further that any convict sentenced prior to September 1, 1963 who would be eligible for parole had he been sentenced after September 1, 1963, shall be eligible for parole; provided further, in all cases where a convict is serving a life sentence for murder, unanimous consent of the Minnesota corrections authority shall be required for parole of such convict. Upon being paroled and released, such convicts shall be and remain in the legal custody and under the control of the Minnesota corrections authority, subject at any time to be returned to the state prison, the state reformatory, the Minnesota correctional institution for women, or other facility of the department of corrections established by law for the confinement or treatment of convicted persons and the parole rescinded by such authority, when the legal custody of such convict shall revert to the commissioner of correc-

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tions. The written order of the Minnesota corrections authority, certified by the chairman of the authority, shall be sufficient to any peace officer or state parole and probation agent to retake and place in actual custody any person on parole to the Minnesota corrections authority, but any state parole and probation agent may, without order of warrant, when it appears to him necessary in order to prevent escape or enforce discipline, take and detain a parolee to the Minnesota corrections authority for its action. The written order of the commissioner of corrections shall be sufficient to any peace officer or state parole and probation agent to retake and place in actual custody any person on probation under the supervision of the commissioner pursuant to section 609.135, but any state parole and probation agent may, without such order, when it appears to him necessary in order to prevent escape or enforce discipline, retake and detain such probationer and bring him before the court for further proceedings under section 609.14. Paroled persons, and those on probation under the supervision of the commissioner of corrections pursuant to section 609.135 may be placed within or without the boundaries of the state at the discretion of the authority or of the commissioner of corrections, and the limits fixed for such persons may be enlarged or reduced according to their conduct.

In considering applications for parole or final release, the authority shall not be required to hear oral argument from any attorney or other person not connected with the prison or the reformatory in favor of or against the parole or release of any prisoners, but it may institute inquiries by correspondence, taking testimony or otherwise, as to the previous history, physical or mental condition, and character of such prisoner, and to that end shall have authority to require the attendance of the warden of the state prison or the superintendent of the state reformatory or the Minnesota correctional institution for women and the production of the records of these institutions, and to compel the attendance of witnesses, and each member of the authority is hereby authorized to administer oaths to witnesses for every such purpose.

[1911 c 298 s 6; 1931 c 161 s 4; 1935 c 110 s 2; 1951 c 682 s 1; 1955 c 261 s 1; 1959 c 263 s 3; 1959 c 590 s 1; 1963 c 753 art 2 s 2; 1967 c 398 s 4; 1967 c 426 s 2; 1971 c 59 s 1; 1971 c 204 s 1; 1973 c 654 s 15] (10770)

**243.06 CREDITS FOR PRISONERS.** Each prisoner shall be credited for good prison demeanor, diligence in labor and study and results accomplished, and be charged for derelictions, negligences, and offenses under such uniform system of marks or other methods as shall be prescribed by the commissioner of corrections. He shall be informed of his standing under such system each month. The commissioner of corrections shall inform the Minnesota corrections authority of the work progress, derelictions, negligences, demeanor and future program of each inmate of the penal institutions a month before his regular appearance before the Minnesota corrections authority.

[1911 c 298 s 7; 1945 c 259 s 1; 1955 c 261 s 1; 1959 c 263 s 2, 3; 1965 c 45 s 15; 1973 c 654 s 15] (10772)

**243.07 DUTY OF AUTHORITY; FINAL DISCHARGE.** It shall be the duty of the Minnesota corrections authority to keep in communication, as far as possible, with all prisoners who are on parole and also with their employers, and when any person upon parole has kept the conditions thereof in such manner and for such period of time as shall satisfy the authority that he is reliable and trustworthy, and that he will remain at liberty without violating the law, and that his final release is not incompatible with the welfare of society, then the authority shall have power in its discretion to grant to such prisoner a final discharge from confinement under any such sentence, and thereupon the commission shall issue to such prisoner a certificate of such final discharge, and shall also cause a record of the acts of the prisoner to be made showing the date of his commitment, his record while in prison, the date of his parole, his record while on parole, and its reasons for determining his final discharge, together with any other facts which the authority may deem proper. Nothing in sections 243.02 to 243.13 shall be construed as impairing the power of the board of pardons to grant a pardon or commutation in any case.

[1911 c 298 s 8; 1955 c 261 s 1; 1959 c 263 s 3; 1965 c 45 s 16; 1971 c 24 s 23; 1973 c 654 s 15] (10773)

**243.08** [Repealed, 1969 c 9 s 98]

**243.09 SUPERVISION BY COMMISSIONER OF CORRECTIONS; AGENTS.**  
Subdivision 1. The commissioner of corrections, as far as possible, shall exercise

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supervision over persons released on parole or probation by the authority pursuant to sections 242.19 or 243.05.

Subd. 2. The commissioner of corrections shall exercise supervision over probationers as provided in section 609.135, and over persons conditionally released pursuant to section 241.26.

Subd. 3. For the purposes of subdivisions 1 and 2, and section 242.19, the commissioner shall appoint state agents who shall be in the classified service of the state civil service. He may also appoint suitable persons in any part of the state for the same purposes. Every such agent or person shall perform such duties as the commissioner may prescribe in behalf of or in the supervision of those persons described in subdivision 2, and, in addition shall act under the orders of the authority in the supervision of those persons conditionally released as provided in subdivision 1, including providing assistance to such conditionally released persons in obtaining employment and the conduct of such investigations into the circumstances and conditions and social histories of persons subject to the control of the commissioner or the authority, and their dependents as may be directed by the commissioner or the authority.

Subd. 4. The commissioner of corrections shall provide the authority with all other personnel, supplies, equipment, office space, and other administrative services necessary and incident to the discharge of the functions of the authority.

[1911 c 298 s 10; 1931 c 161 s 5; 1945 c 258 s 1; 1955 c 261 s 1; 1959 c 263 s 6; 1967 c 398 s 4; 1967 c 418 s 2; 1973 c 654 s 13] (10775)

**243.10 DEPUTIZATION OF OUT-OF-STATE AGENTS.** Subdivision 1. The Minnesota corrections authority may deputize any person regularly employed by another state to act as an officer and agent of this state in effecting the return of any person who has violated the terms and conditions of parole or probation as granted by this state. In any matter relating to the return of such a person, any agent so deputized has all the powers of a police officer of this state.

Subd. 2. Any deputization pursuant to subdivision 1 shall be in writing and any person so authorized to act as an agent of this state shall carry formal evidence of his deputization and shall produce the same upon demand.

Subd. 3. Subject to the approval of the commissioner of finance, the Minnesota corrections authority may enter into contracts with similar officials of any other state for the purpose of sharing an equitable portion of the cost of effecting the return of any person who has violated the terms and conditions of parole or probation as granted by this state.

[1957 c 602 s 1-3; 1959 c 263 s 3; 1973 c 492 s 14; 1973 c 654 s 15]

**243.11** [Repealed, 1963 c 753 art 2 s 17]

**243.12 RULES GOVERNING PAROLES.** The Minnesota corrections authority shall have power, from time to time, to make, alter, amend, and publish rules governing the granting of paroles and final discharges and the procedure relating thereto, and as to the conditions of parole and the conduct and employment of prisoners on parole, and such other matters touching the exercise of the powers and duties conferred upon the authority by sections 243.02 to 243.13 as to its agents and employees as the authority may deem proper.

[1911 c 298 s 12; 1955 c 261 s 1; 1959 c 263 s 7; 1971 c 24 s 24; 1973 c 654 s 15] (10777)

**243.13 ACTS REPEALED; CONDITIONS.** All acts and parts of acts in conflict herewith are hereby repealed; provided, that the repeal thereof shall not in any manner affect the parole, release, discharge, custody, retaking or reconfinement of any prisoner now or heretofore confined, paroled, or subject to be retaken or reimprisoned.

[1911 c 298 s 13] (10778)

**243.14 TEMPORARY PAROLE.** The Minnesota corrections authority is hereby authorized and empowered to grant to any prisoner in a correctional institution under the control of the commissioner of corrections, a temporary parole, not exceeding five days, to any point within the state.

[1929 c 70 s 1; 1955 s 261 s 1; 1959 c 263 s 3; 1967 c 398 s 4; 1971 c 582 s 1; 1973 c 654 s 15] (10770-1)

**243.15 FEMALE PRISONERS; PREGNANT.** When it shall be made to appear by the properly verified petition of any woman, who has been sentenced to imprisonment in a penal institution in this state and is in prison thereunder, that she is

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about to give birth to a child, the commissioner of corrections, if satisfied of the truth of the petition, shall order the transfer of such woman to a public hospital to be designated in his order, there to be detained under such guard and under such rules and regulations as the commissioner shall make in the order of transfer until the birth of the child and the recovery of the mother to such an extent that the imprisonment may be resumed without danger of serious impairment of her health.

The commissioner of corrections shall adopt such proper rules and regulations as may be necessary to carry out the purposes of this section.

[1923 c 165 s 1; 1959 c 263 s 2] (10771)

**243.16 INTERSTATE COMPACT FOR THE SUPERVISION OF PAROLEES AND PROBATIONERS.** Subdivision 1. The governor is hereby authorized and empowered to enter into compacts and agreements with other states, through their duly constituted authorities, in reference to reciprocal supervision of persons on parole or probation and for the reciprocal return of such persons to the contracting states for violation of the terms of their parole or probation, and for the purpose of carrying out the provisions of this section the commissioner of corrections or his designee is designated the official administrator of the interstate compact for the state of Minnesota.

Subd. 2. Such compact and agreement shall be in the form substantially as follows:

## INTERSTATE COMPACT FOR THE SUPERVISION OF PAROLEES AND PROBATIONERS

### A COMPACT

Entered into by and among the contracting states signatories hereto, with the consent of the Congress of the United States of America, granted by an act entitled "An act granting the consent of Congress to any two or more states to enter into agreements or compacts for cooperative effort and mutual assistance in the prevention of crime and for other purposes."

The contracting states solemnly agree:

(1) That it shall be competent for the duly constituted judicial and administrative authorities of a state party to this compact (herein called "sending state"), to permit any person convicted of an offense within such state and placed on probation or released on parole to reside in any other state party to this compact (herein called "receiving state"), while on probation or parole, if

(a) Such person is in fact a resident of or has his family residing within the receiving state and can obtain employment there;

(b) Though not a resident of the receiving state and not having his family residing there, the receiving state consents to such person being sent there.

Before granting such permission, opportunity shall be granted to the receiving state to investigate the home and prospective employment of such person.

A resident of the receiving state, within the meaning of this section, is one who has been an actual inhabitant of such state continuously for more than one year prior to his coming to the sending state and has not resided within the sending state more than six continuous months immediately preceding the commission of the offense for which he has been convicted.

(2) That each receiving state will assume the duties of visitation of and supervision over probationers or parolees of any sending state and in the exercise of those duties will be governed by the same standards that prevail for its own probationers and parolees.

(3) That duly accredited officers of a sending state may at all times enter a receiving state and there apprehend and retake any person on probation or parole. For that purpose no formalities will be required other than establishing the authority of the officer and the identity of the person to be retaken. All legal requirements to obtain extradition of fugitives from justice are hereby expressly waived on the part of states party hereto, as to such persons. The decision of the sending state to retake a person on probation or parole shall be conclusive upon and not reviewable within the receiving state. Provided, however, That if at the time when a state seeks to retake a probationer or parolee there should be pending against him within the receiving state any criminal charge, or he should be suspected of having committed within such state a criminal offense, he shall not be retaken without the consent of the receiving state until discharged from prosecution or from imprisonment for such offense.

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(4) That the duly accredited officers of the sending state will be permitted to transport prisoners being retaken through any and all states parties to this compact, without interference.

(5) That the governor of each state may designate an officer who, acting jointly with like officers of other contracting states, if and when appointed, shall promulgate such rules and regulations as may be deemed necessary to more effectively carry out the terms of this compact.

(6) That this compact shall become operative immediately upon its execution by any state as between it and any other state or states so executing. When executed it shall have the full force and effect of law within such state, the form of execution to be in accordance with the laws of the executing state.

(7) That this compact shall continue in force and remain binding upon each executing state until renounced by it. The duties and obligations hereunder of a renouncing state shall continue as to parolees or probationers residing therein at the time of withdrawal until retaken or finally discharged by the sending state. Renunciation of this compact shall be by the same authority which executed it, by sending six months' notice in writing of its intention to withdraw from the compact to the other state party hereto.

Subd. 3. If any section, sentence, subdivision or clause of this section is for any reason held invalid or to be unconstitutional, such decision shall not affect the validity of the remaining portions of this section.

Subd. 4. (a) Whenever the duly constituted judicial and administrative authorities in a sending state shall determine that incarceration of a probationer or reincarceration of a parolee is necessary or desirable, said officials may direct that the incarceration or reincarceration be in a prison or other correctional institution within the territory of the receiving state, such receiving state to act in that regard solely as agent for the sending state.

(b) As used in this amendment, the term "receiving state" shall be construed to mean any state, other than the sending state, in which a parolee or probationer may be found, provided that said state is a party to this amendment.

(c) Every state which adopts this amendment shall designate at least one of its correctional institutions as a "Compact Institution" and shall incarcerate persons therein as provided in subdivisions 1 and 2 unless the sending and receiving state in question shall make specific contractual arrangements to the contrary. All states party to this amendment shall have access to "Compact Institutions" at all reasonable hours for the purpose of inspecting the facilities thereof and for the purpose of visiting such of said state's prisoners as may be confined in the institution.

(d) Persons confined in "Compact Institutions" pursuant to the terms of this compact shall at all times be subject to the jurisdiction of the sending state and may at any time be removed from said "Compact Institution" for transfer to a prison or other correctional institution within the sending state, for return to probation or parole, for discharge, or for any other purpose permitted by the laws of the sending state.

(e) All persons who may be confined in a "Compact Institution" pursuant to the provisions of this amendment shall be treated in a reasonable and humane manner. The fact of incarceration or reincarceration in a receiving state shall not deprive any person so incarcerated or reincarcerated of any rights which said person would have had if incarcerated or reincarcerated in an appropriate institution of the sending state; nor shall any agreement to submit to incarceration or reincarceration pursuant to the terms of this amendment be construed as a waiver of any rights which the prisoner would have had if he had been incarcerated or reincarcerated in any appropriate institution of the sending state, except that the hearing or hearings, if any, to which a parolee or probationer may be entitled (prior to incarceration or reincarceration) by the laws of the sending state may be had before the appropriate judicial or administrative officers of the receiving state. In this event, said judicial and administrative officers shall act as agents of the sending state after consultation with appropriate officers of the sending state.

(f) Any receiving state incurring costs or other expenses under this amendment shall be reimbursed in the amount of such costs or other expenses by the sending state unless the states concerned shall specifically otherwise agree. Any two or more states party to this amendment may enter into supplementary agreements determining a different allocation of costs as among themselves.

(g) This amendment shall take effect when ratified by any two or more states

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party to the compact and shall be effective as to those states which have specifically ratified this amendment. Rules and regulations necessary to effectuate the terms of this amendment may be promulgated by the appropriate officers of those states which have ratified this amendment.

Subd. 5. Copies of this section shall, upon its approval, be transmitted to the governor of each member state, the attorney general and the administrator of general services of the United States, and The Council of State Governments.

Subd. 6. **Interstate compact for supervision of parolees and probationers.** (1) Where supervision of a parolee or probationer is being administered pursuant to the Interstate Compact for the Supervision of Parolees and Probationers, the appropriate judicial or administrative authorities in this state shall notify the compact administrator of the sending state whenever, in their view, consideration should be given to retaking or reincarceration for a parole or probation violation. Prior to the giving of any such notification, a hearing shall be held in accordance with this subdivision within a reasonable time, unless such hearing is waived by the parolee or probationer. The appropriate officer or officers of this state shall as soon as practicable, following termination of any such hearing, report to the sending state, furnish a copy of the hearing record, and make recommendations regarding the disposition to be made of the parolee or probationer by the sending state. Pending any proceeding pursuant to this section, the appropriate officers of this state may take custody of and detain the parolee or probationer involved for a period not to exceed 15 days prior to the hearing and, if it appears to the hearing officer or officers that retaking or reincarceration is likely to follow, for such reasonable period after the hearing or waiver as may be necessary to arrange for the retaking or reincarceration.

(2) Any hearing pursuant to this subdivision may be before the administrator of the Interstate Compact for the Supervision of Parolees and Probationers, a deputy of such administrator, or any other person authorized pursuant to the laws of this state to hear cases of alleged parole or probation violations, except that no hearing officer shall be the person making the allegation of violation.

(3) With respect to any hearing pursuant to this subdivision, the parolee or probationer:

(a) Shall have reasonable notice in writing of the nature and content of the allegations to be made, including notice that its purpose is to determine whether there is probable cause to believe that he has committed a violation that may lead to a revocation of parole or probation.

(b) Shall be permitted to advise with any persons whose assistance he reasonably desires, prior to the hearing.

(c) Shall have the right to confront and examine any persons who have made allegations against him, unless the hearing officer determines that such confrontation would present a substantial present or subsequent danger of harm to such person or persons.

(d) May admit, deny or explain the violation alleged and may present proof, including affidavits and other evidence, in support of his contentions. A record of the proceedings shall be made and preserved.

(4) In any case of alleged parole or probation violation by a person being supervised in another state pursuant to the Interstate Compact for the Supervision of Parolees and Probationers, any appropriate judicial or administrative officer or agency in another state is authorized to hold a hearing on the alleged violation. Upon receipt of the record of a parole or probation violation hearing held in another state pursuant to a statute substantially similar to this subdivision, such record shall have the same standing and effect as though the proceeding of which it is a record was had before the appropriate officer or officers in this state, and any recommendations contained in or accompanying the record shall be fully considered by the appropriate officer or officers of this state in making disposition of the matter.

(5) Copies of this subdivision shall, upon its approval, be distributed as provided in subdivision 5.

[1935 c 257 s 1; 1955 c 261 s 1; 1955 c 262 s 1; 1959 c 263 s 3; 1969 c 596 s 1-4; 1973 c 84 s 1; 1974 c 126 s 1] (10778-1)

**243.17 SHERIFF, EXPENSES CONVEYING CONVICTS.** Subdivision 1. The necessary expenses of sheriffs and other officers incurred in conveying convicts to the state prison or the state reformatory, including per diem and expenses of guards, shall be approved by the commissioner of finance and paid out of the state treasury.

The commissioner of finance may allow for such expenses the necessary expenses incurred by the sheriff or deputy in going to and returning from the state prison or the state reformatory and \$10 per day for each guard, and such sum as is necessary for railroad fare and actual traveling expenses. Not more than one guard shall be allowed for one prisoner, but one additional guard shall be allowed for every two additional prisoners. In any county wherein the sheriff is paid upon a fee basis, he shall also receive \$10 for each day necessarily spent in conveying prisoners to the state prison or the state reformatory. All bills shall be rendered in writing, fully itemized, verified, and accompanied by the receipt of the warden of the state prison or the superintendent of the state reformatory for the delivery of such convict or convicts, in a form prescribed by the commissioner of finance.

Subd. 2. The conveyance of prisoners to and from court in connection with post conviction, habeas corpus, or intrastate mandatory disposition of detainers proceedings shall be by the sheriff of the county in which the proceedings are to be held and at the expense of the state as provided in subdivision 1.

[1909 c 70 s 1; 1945 c 327 s 1; 1951 c 339 s 3; 1959 c 630 s 3; 1971 c 905 s 1; 1973 c 492 s 14] (10826)

**243.18 DIMINUTION OF SENTENCE.** Every convict sentenced for any term other than life, whether confined in the state prison, the state reformatory, or the Minnesota correctional institution for women, or on parole therefrom, may diminish the term of his sentence as follows:

(1) For each month, commencing on the day of his arrival, during which he has not violated any prison rule or discipline, and has labored with diligence and fidelity, five days;

(2) After one year of such conduct, seven days for each month;

(3) After two years of such conduct, nine days for each month;

(4) After three years, ten days for each month for the entire time thereafter.

The commissioner of corrections, in view of the aggravated nature and frequency of offenses, may take away any or all of the good time previously gained, and, in consideration of mitigating circumstances or ignorance on the part of the convict, may afterwards restore him, in whole or in part, to the standing he possessed before such good time was taken away.

[R L s 5445; 1907 c 206 s 1; 1927 c 232 s 1; 1959 c 263 s 2; 1963 c 753 art 2 s 3; 1967 c 398 s 4] (10808)

**243.19 BARTER AND EXCHANGE OF PRISON-MADE GOODS PROHIBITED.** No goods, wares, or merchandise manufactured, produced, or mined, wholly or in part, by convicts or prisoners (except convicts or prisoners on parole or probation), or in any penal or reformatory institutions in this or any other state, shall be bartered, traded, or exchanged by such penal institutions for any other goods, wares, or merchandise of any kind for use in such penal institutions.

[1937 c 444 s 1] (10846-21)

**243.20 DISCHARGE FROM REFORMATORY; CLOTHING; MONEY.** Upon the release by discharge or on parole of any inmate of the state prison, the state reformatory for men or the Minnesota correctional institution for women, the warden or superintendent, at the expense of the state, shall furnish each inmate released with one good, serviceable outfit of clothing, and, when released during the winter months between approximately October 1 and March 31 following, with a good, serviceable overcoat.

[1917 c 159 s 1; 1943 c 480 s 3; 1967 c 398 s 4] (10838)

**243.21 TRESPASSING UPON INSTITUTION GROUNDS.** No person shall trespass or loiter upon the grounds of the state prison, the state reformatory for men, the Minnesota correctional institution for women, upon any farm or camp or other establishments belonging to the prison or reformatory, or upon the grounds of any other institution or facility under the control of the commissioner of corrections without the consent of the warden or superintendent thereof; nor shall any person communicate or in any way assist in establishing communication with any inmate of the state prison or reformatory or other institution or facility except as permitted by law or authorized by the warden or superintendent thereof. Whoever violates any of the provisions hereof shall be guilty of a misdemeanor.

[1959 c 394; 1967 c 398 s 4; 1971 c 10 s 1]

**243.211 UNAUTHORIZED COMMUNICATION WITH PRISONERS.** Every person who, not being authorized by law or by written permission from

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the commissioner of corrections, or by consent of the warden of the prison or superintendent of the reformatory, shall have any verbal communication with a convict in the state prison or the state reformatory, or shall bring into or convey out of such prison or reformatory any writing, clothing, food, tobacco, or other article whatsoever, to or from any convict under sentence, shall be guilty of a misdemeanor.

[R L s 4861; 1959 c 263 s 2] (10049)

**243.22 AID FOR PRISONER OR HIS FAMILY.** The commissioner of corrections may make provision for such pecuniary assistance of prisoners on their discharge, or for the support of their families while in confinement, as may seem proper, by the allowance of moderate wages, to be paid from the current expense fund of the institution. The sum arising therefrom shall, until the prisoner's final discharge, be under the control of the superintendent, to be used for the benefit of such prisoner and his family; but, should any such person wilfully escape from the reformatory, or become a fugitive from justice, he shall thereby forfeit all earnings remaining under the control of the superintendent, and the same shall be placed in the inmates' benefit fund.

[R L s 5459; 1959 c 263 s 2] (10832)

**243.23 COMPENSATION PAID TO INMATES.** Notwithstanding any law to the contrary, the commissioner of corrections is authorized and empowered to provide for the payment to inmates of correctional institutions under his management and control of such pecuniary compensation as he may deem proper, the amount of compensation to depend upon the quality and character of the work performed as determined by the commissioner of corrections and the warden or superintendent, provided that such inmates who because of illness or physical disability cannot work may be paid a minimal amount per day as determined by the commissioner. Such earnings shall be paid out of the fund provided for the carrying on of the work in which the inmate is engaged when employed on state account, or from the current expense fund of the institution as the commissioner of corrections shall determine.

[1909 c 304 s 1; 1943 c 430 s 1; 1955 c 661 s 1; 1959 c 263 s 2; 1967 c 398 s 4; 1967 c 424 s 1; 1973 c 307 s 1] (10820)

**243.24 MONEYS, HOW USED; FORFEITURE.** Subdivision 1. **Sole benefit of prisoners.** Any money arising under section 243.23 shall be and remain under the control of the commissioner of corrections and shall be for the sole benefit of the prisoner, unless by special order of the commissioner of corrections it shall be used for rendering assistance to his family or dependent relatives, under such regulations as to time, manner and amount of disbursements as the commissioner of corrections may prescribe. Unless ordered disbursed as hereinbefore prescribed or for an urgency determined, in each case, by the warden or superintendent, at least one half of such earnings, but not to exceed a maximum to be determined by the commissioner, shall be set aside and kept by the institution in the public welfare fund of the state for the benefit of the prisoner and for the purpose of assisting him when he leaves the institution and if released on parole said sum to be disbursed to the prisoner in such amounts and at such times as the commissioner of corrections may authorize and on final discharge, if any portion remains undistributed, it shall be transmitted to the prisoner.

Subd. 2. **Warden to increase fund to \$100.** If the fund standing to the credit of the prisoner on his leaving the institution by discharge or on parole be less than \$100, the warden or superintendent is directed to pay out of the current expense fund of the institutions sufficient funds to make the total of said earnings the sum of \$100, except that when a prisoner is released under section 243.14, the commissioner of corrections may authorize a lesser amount.

[1909 c 304 s 2; 1943 c 430 s 2; 1955 c 261 s 1; 1959 c 263 s 2, 3; 1971 c 878 s 1] (10821)

**243.25 GUARDS; HOURS OF WORK.** Guards employed at the state prison and the state reformatory shall not be required to work to exceed ten hours per day, except in cases of extraordinary emergency or necessity.

[1917 c 422 s 1] (10822)

**243.26 HABITUAL DRINKERS.** No person shall be appointed as an officer or employee of any state prison or state reformatory who is in the habit of using intoxicating liquors and a single act of intoxication shall justify a removal or discharge.

[R L s 5450] (10817)



## CORRECTIONAL INSTITUTIONS

**243.40 LOCATION, MANAGEMENT.** The state prison shall be continued at its present site in Stillwater for the confinement and reformation of convicts and be under the general management of the commissioner of corrections.

[*R L s 5432; 1939 c 431 art 7 s 3; 1959 c 263 s 2*] (10787)

**243.41 REVOLVING FUND CREATED.** There is hereby created a state prison revolving fund available for the purpose of carrying on all industrial enterprises which heretofore have been or hereafter may be authorized by law to be carried on at the state prison at Stillwater.

[*1909 c 151 s 1*] (10790)

**243.42 SOURCES OF FUND.** The revolving fund shall consist of the \$150,000 appropriated as available for the manufacture of binding twine at the prison, in and by General Laws 1891, Chapter 163, together with all net earnings or net profits of the manufacture of binding twine at the prison which have accrued since the enactment of such chapter and which have meanwhile been added to the original appropriation, which additions thereto are hereby legalized, and all the future net earnings or net profits of any and all industries carried on at the state prison under authority of law and as now or hereafter authorized by law.

[*1909 c 151 s 2*] (10791)

**243.43 USE OF FUND.** Subdivision 1. The fund shall be used for the purchase of raw materials, payment of salaries and wages, and other expenses necessary and proper in the conduct of such industrial enterprises, authorized by law, and for such other purposes, or be devoted to such other uses, as may hereafter be by law duly authorized.

Subd. 2. In addition to the authority contained in subdivision 1, the expenses of inmate vocational training and recreational programs may be financed from the fund in an amount not to exceed two thirds of the net profits from the industrial enterprises for the year immediately preceding the year the expenses are incurred.

Subd. 3. The proceeds from the investment of money in the fund not currently needed shall be accounted for separately and credited to the fund.

[*1909 c 151 s 3; 1973 c 301 s 1*] (10792)

**243.44 DISBURSEMENT FROM FUND.** The fund shall be deposited in the state treasury and paid out only on such proper vouchers as may be authorized and approved by the commissioner of corrections, and in the same manner and under the same restrictions as are now provided by law for the disbursement of funds by the commissioner. The commissioner of corrections is hereby authorized to keep and maintain at the prison a contingent fund, as provided in section 241.13; but such contingent fund shall be at all times covered and protected by a proper and sufficient bond to be duly approved as by law now provided.

[*1909 c 151 s 4; 1959 c 263 s 2; 1965 c 51 s 45*] (10793)

**243.45 REVOLVING FUND; BORROWING.** The commissioner of corrections and the warden of the state prison are authorized, when in their judgment it becomes necessary in order to meet current demands on the revolving fund of the state prison, to borrow such sums of money as may be necessary. The sums so borrowed shall not exceed, in any one year, 75 percent of the total of the revolving fund of the prison.

[*1905 c 135; 1907 c 266 s 1; 1959 c 263 s 2*] (10788)

**243.46 PRISON FUNDS.** When the commissioner of corrections and the warden of the state prison shall certify to the commissioner of finance and the state treasurer that, in their judgment, it is necessary to borrow a specified sum of money in order to meet the current demands on the revolving fund of the state prison, the state treasurer and the commissioner of finance may, in their discretion, transfer and credit to the revolving fund, from any moneys in the state treasury not required for immediate disbursement, the whole or such part of the amount so certified as they deem advisable, which sum so transferred shall be repaid by the commissioner from the revolving fund to the fund from which the same was transferred, at such time as shall be specified by the state treasurer and the commissioner of finance, together with interest thereon at such rate as shall be specified by the commissioner of finance and the state treasurer, not exceeding four percent per annum. When any transfer shall so have been made to the revolving fund of the state prison, the state treasurer and the commissioner of finance shall notify the commissioner of correc-

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tions and the warden of the state prison of the amount so transferred to the credit of the revolving fund, the date when the same is to be repaid, and the rate of interest so to be paid.

[1919 c 25 s 1; 1959 c 263 s 2; 1973 c 492 s 14] (10789)

**243.47 CONTRACTORS NOT TO BE EMPLOYED; EMPLOYEES MAY NOT ACCEPT GIFTS.** No prison contractor or his agent or employee, and no person, directly or indirectly, interested in any business carried on therein, shall hold office or employment in the prison; nor shall any officer or employee therein be, directly or indirectly, interested in any contract, purchase, or sale for or on account of the prison, or receive any compensation for services performed for or on behalf of any contractor, or for his services other than that prescribed by law. No official or employee shall receive any gift from a prisoner therein, or any money or other consideration for services rendered or to be rendered to him. Every contractor, his agent or employee, violating any provision of this section, shall be thereafter barred from obtaining any contract for labor in the prison, and every officer or employee violating the same shall be discharged, and thereafter disqualified from holding any position therein.

[R L s 5433] (10794)

**243.48 VISITORS; FEES.** The commissioner of corrections, the governor, lieutenant governor, members of the legislature, state officers, and regularly authorized ministers of the gospel, may visit the prisoners at pleasure, but no other persons without special permission of the warden, under rules prescribed by the commissioner. A moderate fee may be required of visitors, other than those allowed to visit at pleasure. All fees so collected shall be reported and remitted to the state treasurer under such rules and regulations as the commissioner may deem proper, and when so remitted shall be placed to the credit of the current expense fund of the institution.

[R L s 5434; 1909 c 241 s 1; 1959 c 263 s 2] (10795)

**243.49 COMMITMENT PAPERS; DUTY OF CLERK.** Upon a plea of guilty or finding of guilty after trial, the clerk of every court by which a person shall be sentenced for a felony or gross misdemeanor to the custody of the commissioner of corrections or to the Minnesota corrections authority, or to the superintendent of the work house or work farm, shall furnish to the officer or person having such person in charge a certified record for commitment containing a copy of the indictment and plea, the name and residence of the judge presiding, of the prosecuting officer, of the person's attorney, of the jurors, and of the witnesses sworn on the trial or proceedings, a transcript of the arraignment and all other district court pre-trial proceedings, the charge of the court, the verdict and a transcript of the sentencing proceedings, with the date thereof, together with the person's statement under oath, if obtainable from him, as to his true name, his residence, if any, the date and place of his birth, the names and addresses of his parents and other relatives and of persons by whom he has been employed or is well known, his social and other affiliations, his past occupations and employments, his former places of residence and the period of time he has resided in each, with the dates thereof, his citizenship, the number, dates, places and causes of prior convictions, and the event thereof, and, in cases in which the person pleads guilty, a transcript of the proceedings relative thereto; to which shall be attached, in all cases, the impressions of the trial judge as to the mental and physical condition of the person, his general character, capacity, disposition, habits and special needs; which certified record for commitment may be used as evidence in any post-conviction proceeding brought by the person. The transcripts above referred to shall be furnished by the court reporter. The clerk shall also deliver to the sheriff or other officer or person conveying the person to the place of confinement designated by the commissioner of corrections or the Minnesota corrections authority or judge a warrant of commitment together with a certified copy thereof directing him to deliver the person and the certified record for commitment to the principal officer in charge of such place of confinement. Upon the delivery of any such person, the principal officer in charge of such place of confinement shall retain the certified copy of the warrant of commitment and endorse his receipt upon the original, which shall be filed in the court of commitment. The clerk shall retain one copy of the transcripts above referred to, and a tape recording and the court reporter's notes of all other proceedings.

[R L s 5436; 1911 c 228 s 1; 1961 c 602 s 1; 1965 c 869 s 15; 1967 c 696 s 1; 1969 c 448 s 2; 1973 c 654 s 15] (10797)

**243.50 PAYMENT OF COURT REPORTER.** Such transcripts and tapes shall be furnished by the court reporter and he shall be paid therefor by the county, on certificates duly certified to by the judge presiding at the sentence, and filed with the county auditor, the same fee per folio provided by statute for transcripts of testimony furnished to parties ordering the same in civil proceedings and for tapes on a costs basis.

[1911 c 228 s 2; 1965 c 869 s 16] (10798)

**243.51 UNITED STATES PRISONERS; PRISONERS FROM OTHER STATES.** Subdivision 1. The commissioner of corrections is hereby authorized to contract with the United States attorney general and with the proper officials of other states for the custody, care, subsistence, education, treatment and training of persons convicted of criminal offenses constituting felonies in the courts of the United States or other states of the United States. Such contracts shall provide for reimbursing the state of Minnesota for all costs or other expenses involved. Funds received under such contracts shall be deposited in the state treasury to the credit of the institution in which such persons may be confined. Any prisoner transferred to the state of Minnesota pursuant to this subdivision shall be subject to the terms and conditions of his original sentence as if he were serving the same within the confines of the state in which the conviction and sentence was had or in the custody of the United States attorney general. Nothing herein shall deprive such inmate of his right to parole or his rights to legal process in the courts of this state.

Subd. 2. The commissioner of corrections may transfer to the custody of the United States attorney general any inmate of the state prison or the Minnesota correctional institution for women whose presence is seriously detrimental to the internal discipline and well-being of the state prison or reformatory, or whose personal safety cannot be reasonably secured therein or in any other state correctional institution, provided the attorney general of the United States accept such transfer. Such transfer shall be accomplished in the manner prescribed by Title 18, Section 5003 of the United States code and acts amendatory thereof, and the commissioner of corrections may execute such contracts as therein provided. The reimbursement of the federal government for all costs and expenses incurred for the care, custody, subsistence, education, treatment and training of such transferee shall be paid from the appropriation for the operation of the state prison or Minnesota correctional institution for women.

The chief executive officer of the transferring institution shall attach to such contract a duly certified copy of the warrant of commitment under which such inmate is held, together with copies of such other commitment papers as are required by section 243.49, and such other data relating to the character and condition of such inmates as he may deem necessary or may be required by the federal prison authorities. Such copy of the warrant of commitment and accompanying papers shall constitute sufficient authority for the United States to hold such inmate on behalf of the state of Minnesota.

Any inmate so transferred under this subdivision shall be subject to the terms and conditions of his original sentence as if he were serving the same within the confines of the institution from which transferred. Nothing herein contained shall deprive such inmate of his right to parole or his rights to legal process in the courts of this state.

[R L s 5437; 1967 c 398 s 4; 1967 c 399 s 1] (10799)

**243.52 DISCIPLINE.** If any convict shall offer violence to any officer, guard, or any other person or convict, he may defend himself in any manner and by any means which may appear to be necessary under the circumstances. If any such convict shall attempt to injure the buildings or appurtenances, or to resist the lawful authority of any officer or guard, or shall refuse to obey his reasonable demands, such officer or guard may enforce obedience and discipline in such manner as may appear necessary; and, if in so doing, any convict so resisting lawful authority shall be necessarily wounded or killed by such officer, guard, or assistants, he shall be held justified.

[R L s 5438] (10800)

**243.53 SEPARATE CELLS.** When there are cells sufficient, each convict shall be confined in a separate cell.

[R L s 5439] (10801)

**243.54 INTOXICATING LIQUORS.** No spirituous or fermented liquors shall

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be brought into or upon the grounds of the prison, under any pretense, except by direction of the prison physician.

[R L s 5440] (10802)

**243.55 CONTRABAND ARTICLES; EXCEPTIONS; PENALTY.** Any person who brings, sends, or in any manner causes to be introduced into the state prison or the state reformatory or any other state institution, or within or upon the grounds belonging to or land or controlled by any such institution, any controlled substance as defined in section 152.01, subdivision 4, or any intoxicating liquor of any kind whatever, or any firearms, weapons or explosives of any kind, without the consent of the warden or superintendent thereof, shall be guilty of a felony; and, upon conviction thereof, punished by imprisonment in the state prison for a term of not less than three, nor more than five, years; provided, that the provisions of this section shall not apply to physicians carrying drugs into such institutions for use in the practice of their profession; nor to sheriffs or other peace officers carrying revolvers or firearms as such officers in the discharge of duties.

[1913 c 196 s 1; 1915 c 241 s 1; 1923 c 391 s 1; 1959 c 85 s 1; 1974 c 291 s 1] (10803)

**243.56 CONVICTS MAY COMMUNICATE WITH WARDEN OR COMMISSIONER.** Every convict may communicate, in writing, with the warden and the commissioner of corrections, under regulations prescribed by the commissioner for that purpose.

[R L s 5441; 1959 c 263 s 2] (10804)

**243.57 CONTAGIOUS DISEASE; REMOVAL OF CONVICTS.** In case of an epidemic of any infectious or contagious disease in the state prison, whereby the health or lives of the prisoners may be endangered, the warden, with the approval of the commissioner of corrections may cause the prisoners so affected to be removed to some other secure and suitable place or places for care and treatment; and, should the prison be destroyed, in whole or in part, by fire or other casualty so as to become unsuitable for proper detention and custody of the convicts, the warden, with the approval of the commissioner, may remove them, or any number thereof, to such other safe and appropriate place as may be provided.

[R L s 5442; 1959 c 263 s 2] (10805)

**243.58 REWARD FOR ESCAPED CONVICT.** Upon the escape of a convict from the state prison or the reformatory, the warden or superintendent, as the case may be, shall use all proper means for his apprehension and return, and for that purpose may offer a reward of not more than \$25 and, with the approval of the commissioner of corrections, a further sum not exceeding \$100, to be paid from the state treasury; provided, that such warden or superintendent, as the case may be, shall himself pay such reward if the escape is due to his negligence or that of any officer under him.

[R L s 5443; 1959 c 263 s 2] (10806)

**243.59 COMMUNICATION WITH CONVICTS.** No person, without the consent of the warden, shall bring into or carry out of the state prison any writing or any information to or from any convict. Every violation of this provision shall be a misdemeanor, and punished accordingly. On discovery, such person may be arrested by any prison officer without warrant.

[R L s 5444] (10807)

**243.60** [Repealed, 1963 c 753 art 2 s 17]

**243.61 CONTRACT LABOR; TOOLS AND MACHINERY.** No contracts for leasing the labor of prisoners confined in any such institution, at a certain rate per diem, giving the contractor full control of the labor of the prisoners, shall be made; but such prisoners shall be employed, under regulations established by the commissioner of corrections, in such industries as shall, from time to time, be fixed upon by the officers in charge and the commissioner, or in the manufacture of articles by the piece, under the so-called "piece price system," by contracts with persons furnishing the materials. The chief officer, under the direction of the commissioner, shall purchase such tools, implements, and machinery as he shall deem necessary for the work.

[R L s 5447; 1959 c 263 s 2] (10810)

**243.62 SELLING OF LABOR OF CONVICTS PROHIBITED.** It shall be unlawful for the commissioner of corrections, or the warden of the state prison, or any person exercising control of or supervision over any convict sentenced to and

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confined in the state prison to enter into any contract or agreement, or any arrangement, whereby the labor or service of the convict is either sold or leased or otherwise disposed of for hire to any person or to any party.

[1909 c 481 s 1; 1959 c 263 s 2] (10811)

**243.63 SALE OF BINDER TWINE.** The price of binder twine manufactured at the state prison shall be fixed by the warden and the commissioner of corrections not later than May first, each year. The commissioner of corrections, in his discretion, may agree to allow to purchasers of binder twine, uniform discounts from the price so fixed, on condition payment for twine purchased is made by the purchaser at the time agreed upon for such payment. Such twine shall be sold to actual consumers in quantities needed for their use, and to dealers within the state under such rules and regulations as may be provided by the commissioner of corrections, for cash or on terms with such security as may be required and approved by the warden. Dealers desiring to purchase such twine shall enter into a written agreement with the state to sell the twine in keeping with rules and regulations established by the warden and the commissioner of corrections. Such agreement shall provide that when such twine is sold for cash it shall be at a price not greater than one cent per pound above the purchase price and freight from the prison to the station where such twine is sold, and when such twine is sold on time, at a price not greater than one and a half cents per pound above the purchase price and freight, as hereinbefore prescribed.

The commissioner of corrections shall cause to be held in reserve at the prison until March first of each year 1,500,000 pounds of twine for the purpose of filling club and cash orders received from consumers, and thereafter until July first of each year the commissioner of corrections shall reduce such reserve to 500,000 pounds, after which date all twine shall be sold. The state shall retain a contingent interest in twine so sold, and if any dealer shall violate his agreement, the commissioner of corrections may declare such twine forfeited to the state and retake possession thereof. Every dealer purchasing such twine shall keep it separate from other twine and keep a correct record of all his sales, showing the date, amount, price, and name and post-office address of purchaser, which shall be open to the inspection of the warden, commissioner of corrections, and the proper county attorney. Every dealer who shall violate the terms of the written agreement, and every person violating any provision of this section, shall be guilty of a gross misdemeanor.

When, in the opinion of the commissioner of corrections and the warden of the prison, the best interests of the state require such action, such binder twine may be sold to dealers or consumers without the state in conformity with federal and individual state laws governing the sale of binder twine.

[R L s 5448; 1907 c 74; 1913 c 334 s 1; 1941 c 168; 1959 c 263 s 2] (10812)

**243.64 SALE OF LAND ACQUIRED IN COLLECTION OF A DEBT FOR BINDING TWINE.** When the state of Minnesota shall have heretofore or shall hereafter acquire title to any land in the course of legal proceedings for the collection of a debt arising out of the sale by the state of farm machinery, binding twine, or other articles manufactured or improved at the state prison, the same may be sold by the governor to such persons and for such price as shall be recommended by the warden of the state prison, and the governor is hereby authorized to execute, in the name of the state and in its behalf, any deeds or conveyances necessary or desirable to convey the title and interest of the state to the purchaser, and the proceeds of the sale shall be paid into the state treasury to the credit of the appropriate prison fund.

[1917 c 58 s 1] (10813)

**243.65** [Repealed, 1973 c 512 s 3]

**243.66 FACTORY AT THE STATE PRISON.** The commissioner of corrections is hereby authorized, empowered, and directed to establish, construct, equip, maintain, and operate, at the state prison, a factory for the manufacture of goods, wares and merchandise. The factory herein authorized shall be for the primary purpose of providing suitable employment for the inmates of the state prison, their vocational training, and to aid them in the development of proper work habits. For the purposes of, and to give full effect to sections 243.66 and 243.67, the commissioner may use all of the existing state prison revolving fund created by and existing under sections 243.41 to 243.44. The commissioner and the warden of the prison shall, at all

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times, in the line of manufacturing herein authorized and directed, employ and make use of inmate labor to the largest extent feasible, provided, however, that the commissioner may employ such administrative, supervisory and other skilled craftsmen as are necessary for the efficient and profitable operation of the factory herein authorized and the proper instruction and supervision of the inmates employed therein.

The commissioner and the warden of the prison are hereby authorized, directed, and instructed to establish in and throughout all parts of this state, local selling agencies, and to contract with such agencies for the local sale of goods, wares and merchandise, the manufacture of which is authorized by sections 243.66 and 243.67, at prices to be fixed by the warden and the commissioner of corrections, and the local agencies so contracted with are hereby authorized, in the re-sale thereof to their actual customers therefore, to charge advance prices equaling 20 percent of the prices charged them for such products, plus actual freight charges, but not a greater profit thereon, and the contracts entered into with these agencies shall be so worded as to obligate them to be diligent in the prosecution of the sales of such products to the customers therefore.

[1907 c 49 s 1; 1913 c 144 s 1; 1923 c 294 s 1; 1927 c 172 s 1; 1929 c 348 s 1; 1953 c 394 s 1; 1955 c 727 s 1; 1959 c 263 s 2; 1971 c 91 s 1; 1973 c 512 s 1] (10815)

**243.67 SALE OF PRODUCTS.** Except as provided otherwise, the commissioner of corrections shall cause the products manufactured at such factory to be sold under and pursuant to such rules and regulations as the commissioner shall make, from time to time, for the sale thereof and sold for cash or security approved by the warden.

[1907 c 49 s 2; 1923 c 294 s 2; 1959 c 263 s 2; 1973 c 512 s 2] (10816)

**243.68 LAUNDRY; ESTABLISHMENT, SALE OF SERVICES.** The commissioner of corrections is hereby authorized and empowered to establish, equip, maintain and operate a laundry industry at the state prison. This facility shall be for the primary purpose of teaching proper work habits to, and providing vocational training for the inmates of the state prison and not as a competitive business venture. To accomplish the foregoing purpose, the commissioner shall have the authority to sell such laundry industry services to state institutions under such rules and regulations as he may prescribe.

[1959 c 263 s 2; 1959 c 639 s 1]

**243.69** [Repealed, 1973 c 512 s 3]

**243.70** [Repealed, 1963 c 753 art 2 s 17]

**243.75 SITE, MANAGEMENT.** The state reformatory shall be continued at its present site, in Sherburne county, and be under the general management of the commissioner of corrections.

[R L s 5453; 1945 c 565 s 4; 1947 c 80 s 1; 1949 c 127 s 1; 1951 c 292 s 1; 1953 c 255 s 1; 1955 c 244 s 1; 1959 c 263 s 2; 1961 c 750 s 14 subd 3; 1963 c 214 s 1] (10823)

**243.76** [Repealed, 1963 c 753 art 2 s 17]

**243.77** [Repealed, 1963 c 753 art 2 s 17]

**243.78 REGISTER OF CONVICTS.** When any person is received into the reformatory upon direct sentence thereto, the superintendent shall cause to be entered in a register the date of his admission, his name, age, nativity, nationality, and such other facts as can be ascertained of his parentage, early social influences, and tendencies, and an estimate of his present condition and of the best probable plan of treatment. At least once every three months, minutes shall also be made thereon of observed improvement or deterioration of character, methods of treatment employed, orders or charges affecting the standing of such convict, the circumstances of his final release, and such facts of his subsequent history as may be ascertained.

[R L s 5456] (10827)

**243.79** [Repealed, 1965 c 45 s 73]

**243.80 INSTRUCTION IN TRADES; CONTRACT SYSTEM PROHIBITED.** The commissioner of corrections shall cause the inmates to be instructed in trades or employments for which they seem best fitted. Contract labor is hereby prohibited in the reformatory, and no inmate thereof shall be required to labor at stonework more than eight hours per day.

[R L s 5458; 1959 c 263 s 2] (10829)

243.81 [Repealed, 1973 c 512 s 3]

243.82 [Repealed, 1973 c 512 s 3]

243.83 [Repealed, 1965 c 45 s 73]

**243.84 FACTORY AT REFORMATORY FOR MEN.** The commissioner of corrections is hereby authorized and directed, within the limits of the facilities of the Minnesota state reformatory for men and the means which now are, or hereafter may be made, available to him, to establish, equip, maintain, and operate at the Minnesota state reformatory for men a factory for the manufacture, processing, repairing, and production of goods, wares, and merchandise and for that purpose to make use of the labor of inmates not needed for reformatory maintenance service and to employ such, but only such, skilled craftsmen as in the judgment of the commissioner and the superintendent of the reformatory may be necessary for the proper instruction and the profitable employment of the inmates therefor.

[1953 c 616 s 1; 1959 c 263 s 2]

**243.85 VOCATIONAL TRAINING FOR INMATES; ADMINISTRATION.** Such work activity as authorized by section 243.84 shall be for the primary purpose of reforming, teaching proper work habits to, and providing vocational training for the inmates of the reformatory and not as a competitive business venture. To accomplish the foregoing purpose, the commissioner of corrections shall have the power and authority:

(a) To determine, by consultation with the superintendent, labor and industrial organizations, the state apprenticeship council, the state department of labor and industry, the department of administration, and such other persons and bodies as he may feel qualified, the quantity and nature of goods, wares, and merchandise to be made and the types of processes to be used in their manufacture, processing, repair, and production consistent with the greatest opportunity for reform and vocational training for the inmates and with the best interests of labor, industry, and the state.

(b) To publish and distribute a schedule of prices for the sale and repair of goods, wares, and merchandise, which shall be set at a minimum consistent with the cost of production and in no event shall exceed the wholesale market price for similar products produced elsewhere in the state of Minnesota.

(c) To authorize the superintendent to take in a limited and minor amount of outside work for repair or processing which shall offer experience and practical training in various vocations not otherwise obtainable in processes current in the factory. Priority for such repair or processing shall be given to state institutions.

(d) To encourage inmates to engage in handicraft during their leisure time and to assist in the sale of such handicraft articles by providing retail sales outlets to make such products available to the public for the account of the inmates, under such rules and regulations as the commissioner of corrections may prescribe, for the mutual benefit of the inmates, industry, labor, and the public.

(e) To formulate a system of records or accounts which shall at all times indicate the extent of purchases and sales, which shall be open to public inspection.

(f) There is hereby created a revolving fund available for the purpose of carrying on all industrial enterprises at the St. Cloud reformatory, with the exception of the license plate revolving fund.

(g) The fund shall be used for the purchase of raw materials, payment of salaries and wages, other expenses necessary and proper in the conduct of such industrial enterprises authorized by law, and for such other purposes, or be devoted to such other uses, as may hereafter be by law duly authorized.

(h) All moneys from the operation of such industries shall be deposited in the state treasury and paid out only on such proper vouchers as may be authorized and approved by the commissioner of corrections, and in the same manner and under the same restrictions as are now provided by law for the disbursement of funds by the commissioner. The commissioner of corrections is hereby authorized to keep and maintain at the reformatory a contingent fund, as provided in section 241.13; but such contingent fund shall be at all times covered and protected by a proper and sufficient bond to be duly approved as by law now provided.

(i) To accomplish the foregoing purposes the commissioner of corrections and the superintendent of the reformatory for men are authorized, when in their judgment it becomes necessary to meet current demands on the revolving fund of the

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reformatory for men, to borrow from the unobligated balance in the working capital fund heretofore established at the reformatory for the manufacture of license plates such sums as may be needed for the aforesaid purposes, provided that no more than \$50,000 may be so borrowed at one time, and provided further that such money be returned to the fund from which it was borrowed within three years from the date of transfer.

[1953 c 616 s 2; 1959 c 263 s 2; 1959 c 489; 1965 c 51 s 46; Ex1967 c 1 s 6]

243.86 [Repealed, 1973 c 512 s 3]

**243.87 GOODS MADE FOR NATIONAL DEFENSE.** Nothing in sections 243.84 to 243.87 shall be construed to prevent the production or sale of any article for purposes of national defense during times of national emergency where such production or sale is otherwise permitted by the laws of the United States or the state of Minnesota.

[1953 c 616 s 4]

**243.88 PRIVATE INDUSTRY ON GROUNDS OF CORRECTIONAL INSTITUTIONS.** Subdivision 1. Notwithstanding the provisions of any law to the contrary, the commissioner of administration, with the approval of the governor, may lease one or more buildings or portions thereof on the grounds of any state adult correctional institution, together with the real estate needed for reasonable access to and egress from the leased buildings, for a term not to exceed 20 years, to a private corporation for the purpose of establishing and operating a factory for the manufacture and processing of goods, wares or merchandise.

Subd. 2. The corporation operating a factory under this section may employ persons conditionally released subject to the provisions of section 241.26, and such persons shall be deemed to be parolees within the purview of 49 United States Code, Section 60.

Subd. 3. Any factory established under the provisions of this section shall be deemed a private enterprise and subject to all the laws, rules and regulations of this state governing the operation of similar business enterprises elsewhere in this state, and the products manufactured therein shall be exempt from the provisions of section 243.86.

Subd. 4. The authority of the commissioner of corrections over the institutions of the department of corrections and the inmates thereof shall not be diminished by this section.

[1973 c 145 s 1]

**243.90 ESTABLISHMENT.** There is hereby created and established a separate institution for the care, training, and education of women who have been convicted of crime, to be known as the "Minnesota correctional institution for women". Any woman over the age of 18 years, convicted of a felony, may be sentenced and committed to the institution hereby created and established as provided in section 609.105, subdivision 1 and 2 and other applicable laws, and shall be subject to parole or discharge as provided in section 243.05. The commitment and accompanying papers shall be the same as upon a sentence to the state reformatory for males. Such imprisonment shall not exceed the maximum term fixed by law or by the court. No female shall be sentenced to imprisonment in the state prison.

[1915 c 324 s 1; 1921 c 29 s 1; 1937 c 75 s 1; 1955 c 261 s 1; 1959 c 263 s 3; 1967 c 398 s 1] (10839)

**243.91 TRANSFER OF WOMEN CONVICTS.** When special circumstances warrant, or when the chief executive officer of any county jail, workhouse or workfarm shall determine that any female inmate of such facility over the age of 18 years cannot be safely maintained therein or whose presence is detrimental to the internal discipline and well-being of such institution or that such inmate can benefit from the treatment, care and training available at the state institution, he may, with the consent of the commissioner of corrections and the sentencing court, transfer such female inmate to the "Minnesota correctional institution for women" for confinement, care, treatment and training therein according to the sentence imposed by the court. Such transfer shall be made in accordance with rules prescribed by the commissioner.

The commissioner of corrections may contract with the political subdivisions operating and maintaining the jails, workhouses or workfarms from which such selected female inmates are transferred to the state institution for reimbursement



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to the state for all costs and expenses incurred for the care, custody, subsistence, treatment, and training of such transferees.

The chief executive officer of the transferring institution shall send with such transferee a duly certified copy of the warrant or order of commitment under which such inmate is held, together with such other data as the commissioner of corrections may require, and such warrant or order of commitment shall constitute sufficient authority for the commissioner to hold such inmate on behalf of the sending institution.

[1919 c 106 s 1; 1967 c 398 s 2] (10835)

**243.92 FINANCIAL CONTROL; GENERAL SUPERVISION.** The financial control and general supervision of the "Minnesota correctional institution for women", hereby created and established, shall be, and hereby is, vested in the commissioner of corrections, as now provided by law in respect to other state institutions; and the commissioner is hereby vested with power and authority to appoint a superintendent and such other officers and employees as the commissioner may deem necessary and proper for the due administration of the affairs of the "Minnesota correctional institution for women", and may prescribe their duties and fix the compensation of the officers and employees other than the superintendent, subject to the provisions of sections 43.01 to 43.35; and the commissioner is also hereby vested with power and authority to make and establish such rules and regulations for the government and management of the "Minnesota correctional institution for women", and for the education, employment, and training, discipline and safekeeping of the inmates thereof as may be deemed by him to be expedient and proper.

[1915 c 324 s 5; 1949 c 259 s 1; 1951 c 713 s 36; 1959 c 263 s 2; 1961 c 750 s 14 subd 4; 1967 c 398 s 3] (10843)