

MINNESOTA STATUTES 1979 SUPPLEMENT

CRIMINAL CODE OF 1963 609.11

CHAPTER 609. CRIMINAL CODE OF 1963

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609.02 Definitions.

[For text of subs 1 to 7, see M.S.1978]

Subd. 7a. **Substantial bodily harm.** "Substantial bodily harm" means bodily injury which involves a temporary but substantial disfigurement, or which causes a temporary but substantial loss or impairment of the function of any bodily member or organ, or which causes a fracture of any bodily member.

[For text of subs 8 and 9, see M.S.1978]

Subd. 10. **Assault.** "Assault" is:

(1) An act done with intent to cause fear in another of immediate bodily harm or death; or

(2) The intentional infliction of or attempt to inflict bodily harm upon another.

[1979 c 258 s 2,3]

609.11 Minimum terms of imprisonment.

Subdivision 1. All commitments to the commissioner of corrections for imprisonment of the defendant are without minimum terms except when sentence is to life imprisonment as required by law and except as otherwise provided in this chapter. Any commitment following the defendant's first conviction of an offense wherein the defendant or an accomplice had in possession a firearm or used a dangerous weapon at the time of the offense shall be for a term of not less than one year plus one day, nor more than the maximum sentence provided by law for the offense for which convicted. Any commitment following defendant's second or subsequent conviction of an offense wherein the defendant or an accomplice had in possession a firearm or used a dangerous weapon at the time of the offense shall be for a term not less than three years, nor more than the maximum sentence provided by law for the offense for which convicted. Any person convicted and sentenced as required by this section shall not be eligible for probation or parole until that person shall have served the full minimum sentence herein provided, notwithstanding the provisions of sections 242.19, 243.05, 609.12, 609.135, and any other law to the contrary. The offenses for which mandatory minimum sentences shall be served before eligibility for probation or parole as herein provided are: aggravated assault, burglary, kidnapping, manslaughter, murder in the second or third degree, robbery, criminal sexual conduct in the first, second or third degree, escape while under charge or conviction of a felony, or discharge of an explosive or incendiary device, or any attempt to commit any of these offenses.

Subd. 3. If during the commission of any of the crimes set forth in subdivision 1, the defendant or an accomplice possessed a firearm or used a dangerous weapon, the prosecution shall allege that matter in the complaint or indictment.

[1979 c 258 s 1]

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609.115 Presentence investigation.

Subdivision 1. When a defendant has been convicted of a misdemeanor or gross misdemeanor the court may and when the defendant has been convicted of a felony the court shall, before sentence is imposed, cause a presentence investigation and written report to be made to the court concerning the defendant's individual characteristics, circumstances, needs, potentialities, criminal record and social history, the circumstances of the offense and the harm caused thereby to others and to the community. If the court so directs, the report shall include an estimate of the prospects of the defendant's rehabilitation and recommendations as to the sentence which should be imposed. In misdemeanor cases the report may be oral.

The investigation shall be made by a probation officer of the court, if there is one, otherwise by the commissioner of corrections.

Pending the presentence investigation and report, the court with the consent of the commissioner may commit the defendant to the custody of the commissioner of corrections who shall return the defendant to the court when the court so orders.

Presentence investigations shall be conducted and summary hearings held upon reports and upon the sentence to be imposed upon the defendant in accordance with this section, Minnesota Statutes, Section 244.10, upon its effective date, and Rule 27 of the rules of criminal procedure.

[For text of subs 2 and 3, see M.S.1978]

Subd. 4. Any report made pursuant to subdivision 1 shall be, if written, provided to counsel for all parties before sentence. The written report shall not disclose confidential sources of information unless the court otherwise directs. On the request of the prosecuting attorney or the defendant's attorney a summary hearing in chambers shall be held on any matter brought in issue, but confidential sources of information shall not be disclosed unless the court otherwise directs. If the presentence report is given orally the defendant or his attorney shall be permitted to hear the report.

[For text of subs 5 to 7, see M.S.1978]

[1979 c 233 s 23,24]

609.116 [Repealed, 1979 c 258 s 25]

609.22 [Repealed, 1979 c 258 s 25]

609.221 Assault in the first degree.

Whoever assaults another and inflicts great bodily harm may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$10,000, or both.

[1979 c 258 s 4]

609.222 Assault in the second degree.

Whoever assaults another with a dangerous weapon but without inflicting great bodily harm may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both.

[1979 c 258 s 5]

609.223 Assault in the third degree.

Whoever assaults another and inflicts substantial bodily harm may be sentenced to imprisonment for not more than three years or to payment of a fine of not more than \$3,000, or both.

[1979 c 258 s 6]

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609.224 Assault in the fourth degree.

Whoever does any of the following commits an assault and is guilty of a misdemeanor:

(1) Does an act with intent to cause fear in another of immediate bodily harm or death; or

(2) Intentionally inflicts or attempts to inflict bodily harm upon another.

[1979 c 258 s 7]

609.225 [Repealed, 1979 c 258 s 25]

609.25 Kidnapping.

[For text of subd 1, see M.S.1978]

Subd. 2. **Sentence.** Whoever violates subdivision 1 may be sentenced as follows:

(1) If the victim is released in a safe place without great bodily harm, to imprisonment for not more than 20 years or to payment of a fine of not more than \$20,000, or both; or

(2) If the victim is not released in a safe place or if the victim suffers great bodily harm during the course of the kidnapping to imprisonment for not more than 40 years or to payment of a fine of not more than \$40,000, or both.

[1979 c 258 s 8]

609.26 Obtaining or retaining a child.

Subdivision 1. Whoever intentionally takes, detains or fails to return his own child under the age of 18 years in violation of an existing court order which grants another person rights of custody may be sentenced as provided in subdivision 5.

Subd. 2. Whoever detains or fails to return a child under the age of 18 years knowing that the physical custody of the child has been obtained or retained by another in violation of subdivision 1 may be sentenced as provided in subdivision 5.

Subd. 3. A person who violates this section may be prosecuted and tried either in the county in which the child was taken, concealed or detained or in the county of lawful residence of the child.

Subd. 4. A child who has been obtained or retained in violation of this section shall be returned to the person having lawful custody of the child. In addition to any sentence imposed, the court may assess any expense incurred in returning the child against any person convicted of violating this section.

Subd. 5. Whoever violates this section may be sentenced as follows:

(1) To imprisonment for not more than 90 days or to payment of a fine of not more than \$500, or both, if he voluntarily returns the child within 14 days after he takes, detains or fails to return the child in violation of this section; or

(2) Otherwise to imprisonment for not more than one year and one day or to payment of a fine of \$1,000, or both.

[1979 c 263 s 1]

609.32 [Repealed, 1979 c 255 s 9]

609.321 Prostitution; definitions.

Subdivision 1. For the purposes of sections 609.321 to 609.324, the following terms have the meanings given.

Subd. 2. "Business of prostitution" means any arrangement between or organization of two or more persons, acting other than as prostitutes or patrons, who commit acts punishable under sections 609.321 to 609.324.

Subd. 3. "Force" includes, but is not limited to, assault, as defined in this chapter, and coercion, as defined in section 609.27.

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Subd. 4. "Patron" means an individual who hires or offers or agrees to hire another individual to engage in sexual penetration or sexual contact.

Subd. 5. "Place of prostitution" means a house or other place where prostitution is practiced.

Subd. 6. "Position of authority" means the circumstances under which an individual is charged, no matter how briefly, whether by delegation or otherwise, with rights, duties or responsibilities for the health, welfare or supervision of another individual.

Subd. 7. "Promotes the prostitution of an individual" means any of the following wherein the person knowingly:

- (1) Solicits or procures patrons for a prostitute; or
- (2) Provides, leases or otherwise permits premises or facilities owned or controlled by him to aid the prostitution of an individual; or
- (3) Owns, manages, supervises, controls, keeps or operates, either alone or with others, a place of prostitution to aid the prostitution of an individual; or
- (4) Owns, manages, supervises, controls, operates, institutes, aids or facilitates, either alone or with others, a business of prostitution to aid the prostitution of an individual; or
- (5) Admits a patron to a place of prostitution to aid the prostitution of an individual; or
- (6) Transports an individual from one point within this state to another point either within or without this state, or brings an individual into this state to aid the prostitution of the individual.

Subd. 8. "Prostitute" means an individual who engages in prostitution.

Subd. 9. "Prostitution" means engaging or offering or agreeing to engage for hire in sexual penetration or sexual contact.

Subd. 10. "Sexual contact" means any of the following acts, if the acts can reasonably be construed as being for the purpose of satisfying the actor's sexual impulses:

- (i) The intentional touching by an individual of a prostitute's intimate parts; or
- (ii) The intentional touching by a prostitute of another individual's intimate parts.

Subd. 11. "Sexual penetration" means any of the following acts, if for the purpose of satisfying sexual impulses: sexual intercourse, cunnilingus, fellatio, anal intercourse, or any intrusion however slight into the genital or anal openings of an individual's body by any part of another individual's body or any object used for the purpose of satisfying sexual impulses. Emission of semen is not necessary.

Subd. 12. A "public place" means a public street or sidewalk, a pedestrian skyway system as defined in section 472A.02, subdivision 6, a hotel, motel, or other place of public accommodation, or a place licensed to sell intoxicating liquor, wine, non-intoxicating malt beverages, or food.

[1979 c 255 s 1]

609.322 Solicitation, inducement and promotion of prostitution.

Subdivision 1. Whoever, while acting other than as a prostitute or patron, intentionally does any of the following may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$10,000, or both:

- (1) Solicits or induces an individual under the age of 16 years to practice prostitution; or
- (2) Solicits or induces an individual to practice prostitution by means of force; or
- (3) Uses a position of authority to solicit or induce an individual to practice prostitution; or
- (4) Promotes the prostitution of an individual in the following circumstances:
 - (a) The individual is under the age of 16 years; or
 - (b) The actor knows that the individual has been induced or solicited to practice prostitution by means of force; or

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(c) The actor knows that a position of authority has been used to induce or solicit the individual to practice prostitution.

Subd. 2. Whoever, while acting other than as a prostitute or patron, intentionally does any of the following may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both:

(1) Solicits or induces an individual at least 16 but less than 18 years of age to practice prostitution; or

(2) Solicits or induces an individual to practice prostitution by means of trick, fraud, or deceit; or

(3) Being in a position of authority, consents to an individual being taken or detained for the purposes of prostitution; or

(4) Promotes the prostitution of an individual in the following circumstances:

(a) The individual is at least 16 but less than 18 years of age; or

(b) The actor knows that the individual has been induced or solicited to practice prostitution by means of trick, fraud or deceit; or

(c) The actor knows that an individual in a position of authority has consented to the individual being taken or detained for the purpose of prostitution.

Subd. 3. Whoever, while acting other than as a prostitute or patron, intentionally does any of the following may be sentenced to imprisonment for not more than three years or to payment of a fine of not more than \$3,000, or both:

(1) Solicits or induces an individual 18 years of age or above to practice prostitution; or

(2) Promotes the prostitution of an individual 18 years of age or older.

[1979 c 255 s 2]

609.323 Receiving profit derived from prostitution.

Subdivision 1. Whoever, not related by blood, adoption, or marriage to the prostitute, while acting other than as a prostitute or patron, intentionally receives profit, knowing it to be derived from the prostitution, or the promotion of the prostitution, of an individual in circumstances described in section 609.322, subdivision 1, clause (4), may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both.

Subd. 2. Whoever, not related by blood, adoption, or marriage to the prostitute, while acting other than as a prostitute or patron, intentionally receives profit, knowing it to be derived from the prostitution, or the promotion of the prostitution, of an individual in circumstances described in section 609.322, subdivision 2, clause (4) may be sentenced to not more than three years imprisonment or to payment of a fine of not more than \$3,000, or both.

Subd. 3. Whoever, not related by blood, adoption, or marriage to the prostitute, while acting other than as a prostitute or patron, intentionally receives profit, knowing it to be derived from the prostitution, or the promotion of the prostitution of an individual 18 years of age or above may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$1,000, or both.

Subd. 4. This section does not apply to the sale of goods or services to a prostitute in the ordinary course of a lawful business.

[1979 c 255 s 3]

609.324 Other prohibited acts.

Subdivision 1. Whoever intentionally does any of the following may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both:

(1) Engages in prostitution with an individual under the age of 18 years; or

(2) Hires or offers or agrees to hire an individual under the age of 18 years to engage in sexual penetration or sexual contact.

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Subd. 2. Whoever solicits or accepts a solicitation to engage for hire in sexual penetration or sexual contact while in a public place may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$1,000 or both.

Subd. 3. Whoever intentionally does any of the following may be sentenced to imprisonment for not more than 90 days or to payment of a fine of not more than \$500, or both:

(1) Engages in prostitution with an individual 18 years of age or above; or

(2) Hires or offers or agrees to hire an individual 18 years of age or above to engage in sexual penetration or sexual contact.

Whoever violates the provisions of this subdivision within two years of a previous conviction may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$1,000, or both.

[1979 c 255 s 4]

609.325 Defenses.

Subdivision 1. It shall be no defense to a prosecution under section 609.322 that an individual solicited or induced to practice prostitution or whose prostitution was promoted, did not actually engage in prostitution.

Subd. 2. Consent or mistake as to age shall be no defense to prosecutions under section 609.322 or 609.323.

Subd. 3. It shall be no defense to actions under section 609.322 that the individual solicited or induced to practice prostitution, or whose prostitution was promoted, had engaged in prostitution prior to that solicitation, inducement, or promotion.

[1979 c 255 s 5]

609.326 Evidence.

The marital privilege provided for in section 595.02 shall not apply in any proceeding under section 609.322 or 609.323.

[1979 c 255 s 6]

609.341 Definitions.

[For text of subs 1 and 2, see M.S.1978]

Subd. 3. "Force" means the infliction, attempted infliction, or threatened infliction by the actor of bodily harm or commission or threat of any other crime by the actor against the complainant or another, which causes the complainant to reasonably believe that the actor has the present ability to execute the threat, and also causes the complainant to submit.

[For text of subs 4 to 12, see M.S.1978]

Subd. 13. "Complainant" means a person alleging to have been subjected to criminal sexual conduct, but need not be the person who signs the complaint.

Subd. 14. "Coercion" means a threat to unlawfully inflict bodily harm upon, or hold in confinement, the person threatened or another.

[1979 c 258 s 9-11]

609.343 Criminal sexual conduct in the second degree.

A person is guilty of criminal sexual conduct in the second degree and may be sentenced to imprisonment for not more than 15 years if he engages in sexual contact with another person and if any of the following circumstances exists:

(a) The complainant is under 13 years of age and the actor is more than 36 months older than the complainant. Neither mistake as to the complainant's age nor

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consent to the act by the complainant is a defense. In a prosecution under this clause, the state is not required to prove that the sexual contact was coerced; or

(b) The complainant is at least 13 but less than 16 years of age and the actor is more than 48 months older than the complainant and in a position of authority over the complainant, and uses this authority to coerce the complainant to submit. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense; or

(c) Circumstances existing at the time of the act cause the complainant to have a reasonable fear of imminent great bodily harm to the complainant or another; or

(d) The actor is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses or threatens to use the dangerous weapon to cause the complainant to submit; or

(e) The actor causes personal injury to the complainant, and either of the following circumstances exist:

(i) The actor uses force or coercion to accomplish the sexual contact; or

(ii) The actor knows or has reason to know that the complainant is mentally defective, mentally incapacitated, or physically helpless; or

(f) The actor is aided or abetted by one or more accomplices within the meaning of section 609.05, and either of the following circumstances exists:

(i) An accomplice uses force or coercion to cause the complainant to submit; or

(ii) An accomplice is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses or threatens to use the weapon or article to cause the complainant to submit.

[1979 c 258 s 12]

609.344 Criminal sexual conduct in the third degree.

A person is guilty of criminal sexual conduct in the third degree and may be sentenced to imprisonment for not more than ten years, if he engages in sexual penetration with another person and any of the following circumstances exist:

(a) The complainant is under 13 years of age and the actor is no more than 36 months older than the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant shall be a defense; or

(b) The complainant is at least 13 but less than 16 years of age and the actor is more than 24 months older than the complainant. In any such case it shall be an affirmative defense, which must be proved by a preponderance of the evidence, that the actor believes the complainant to be 16 years of age or older. If the actor in such a case is no more than 48 months but more than 24 months older than the complainant, he may be sentenced to imprisonment for not more than five years. Consent by the complainant is not a defense; or

(c) The actor uses force or coercion to accomplish the penetration; or

(d) The actor knows or has reason to know that the complainant is mentally defective, mentally incapacitated, or physically helpless.

[1979 c 258 s 13]

609.345 Criminal sexual conduct in the fourth degree.

A person is guilty of criminal sexual conduct in the fourth degree and may be sentenced to imprisonment for not more than five years, if he engages in sexual contact with another person and if any of the following circumstances exist:

(a) The complainant is under 13 years of age and the actor is no more than 36 months older than the complainant. Neither mistake as to the complainant's age or consent to the act by the complainant is a defense. In a prosecution under this clause, the state is not required to prove that the sexual contact was coerced; or

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(b) The complainant is at least 13 but less than 16 years of age and the actor is more than 48 months older than the complainant or in a position of authority over the complainant and uses this authority to coerce the complainant to submit. In any such case, it shall be an affirmative defense which must be proved by a preponderance of the evidence that the actor believes the complainant to be 16 years of age or older; or

(c) The actor uses force or coercion to accomplish the sexual contact; or

(d) The actor knows or has reason to know that the complainant is mentally defective, mentally incapacitated, or physically helpless.

[1979 c 258 s 14]

609.52 Theft.

[For text of subs 1 and 2, see M.S.1978]

Subd. 3. **Sentence.** Whoever commits theft may be sentenced as follows:

(1) To imprisonment for not more than ten years or to payment of a fine of not more than \$10,000, or both, if the value of the property or services stolen exceeds \$2,500; or

(2) To imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both, if the value of the property or services stolen is more than \$150 but not more than \$2,500; or

(3) To imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both, notwithstanding the value of the property or services stolen is not more than \$150, if any of the following circumstances exist:

(a) The property is taken from the person of another or from a corpse, or grave or coffin containing a corpse; or

(b) The property taken is a record of a court or officer, or a writing, instrument or record kept, filed or deposited according to law with or in the keeping of any public officer or office; or

(c) The property is taken from a burning building or upon its removal therefrom, or from an area of destruction caused by civil disaster, riot, bombing, or the proximity of battle; or

(d) The property taken consists of public funds belonging to the state or to any political subdivision or agency thereof; or

(4) To imprisonment for not more than ten years or to payment of a fine of not more than \$10,000, or both, if the property stolen is an article representing a trade secret; or if the property stolen is an explosive or an incendiary device; or

(5) In all other cases where the value of the property or services stolen is \$150 or less, to imprisonment for not more than 90 days or to payment of a fine of not more than \$500, or both, provided, however, in any prosecution under clause (1), clause (2), clause (3)(a), (b) and (c), and clause (4) of subdivision 2 the value of the money or property received by the defendant in violation of any one or more of the above provisions within any six month period may be aggregated and the defendant charged accordingly in applying the provisions of this subdivision; provided that when two or more offenses are committed by the same person in two or more counties, the accused may be prosecuted in any county in which one of the offenses was committed for all of the offenses aggregated under this paragraph.

[1979 c 258 s 15]

609.53 Receiving stolen property.

Subdivision 1. Any person who receives, possesses, transfers, buys or conceals any stolen property or property obtained by robbery, knowing the same to be stolen or obtained by robbery, may be sentenced as follows:

(1) If the value of the property received, bought or concealed is \$150 or more, to imprisonment for not more than ten years or to payment of a fine of not more than \$10,000, or both;

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(2) If the value of the property received, bought or concealed is less than \$150, to punishment as a misdemeanor.

Subd. 2. Any person who receives, buys or conceals any stolen property or property obtained by robbery, having reason to believe the same to be so stolen or obtained by robbery, may be sentenced to punishment as a misdemeanor.

[For text of subs 3 to 5, see M.S.1978]

[1979 c 232 s 1,2]

609.562 Arson in the second degree.

Whoever unlawfully by means of fire or explosives, intentionally destroys or damages any building not covered by section 609.561, or any other real or personal property valued at more than \$2,500, whether the property of himself or another, may be sentenced to imprisonment for not more than ten years or to a fine of not more than \$10,000 or both.

[1979 c 258 s 16]

609.563 Arson in the third degree.

Subdivision 1. Whoever unlawfully by means of fire or explosives, intentionally destroys or damages any real or personal property belonging to another may be sentenced to imprisonment for not more than five years or to a fine of \$5,000 or both, if:

(a) The property intended by the accused to be damaged or destroyed had a value of more than \$300 but less than \$2,500; or

(b) Property of the value of \$300 or more was unintentionally damaged or destroyed but such damage or destruction could reasonably have been foreseen; or

(c) The property specified in clauses (a) and (b) in the aggregate had a value of \$300 or more.

Subd. 2. In all other cases whoever intentionally by means of fire or explosives sets fire to or burns or causes to be burned any real or personal property of value belonging to another may be sentenced to imprisonment for not more than 90 days or to payment of a fine of not more than \$300.

[1979 c 258 s 17]

609.595 Damage to property.

Subdivision 1. **Aggravated criminal damage to property.** Whoever intentionally causes damage to physical property of another without the latter's consent may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both, if:

(1) The damage to the property caused a reasonably foreseeable risk of bodily harm; or

(2) The property damaged belongs to a public utility or a common carrier and the damage impairs the service to the public rendered by them; or

(3) The damage reduces the value of the property by more than \$300 measured by the cost of repair or replacement, whichever is less.

In any prosecution under clause (3), the value of any property damaged by the defendant in violation of that clause within any six month period may be aggregated and the defendant charged accordingly in applying the provisions of this section; provided that when two or more offenses are committed by the same person in two or more counties, the accused may be prosecuted in any county in which one of the offenses was committed for all of the offenses aggregated under this paragraph.

[For text of subd 2, see M.S.1978]

[1979 c 258 s 18]

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609.746 Interference with privacy.

Any person who enters upon another's property and surreptitiously gazes, stares, or peeps in the window of a house or place of dwelling of another with intent to intrude upon or interfere with the privacy of a member of the household thereof is guilty of a misdemeanor.

[1979 c 258 s 19]

609.774 Emergency communications; kidnappings.

Subdivision 1. **Definitions.** For the purposes of this section, "supervising peace officer" means a person licensed pursuant to chapter 626, who has probable cause to believe that a person is being unlawfully confined, and who has lawful jurisdiction in the geographical area where the violation is believed to be occurring.

Subd. 2. **Authority.** A supervising peace officer may order a telephone company to cut, reroute, or divert telephone lines for the purpose of establishing and controlling communications with a violator.

Subd. 3. **Designation.** Each telephone company shall designate an employee to serve as a security official and to provide assistance as required by the supervising peace officer to carry out the purposes of this section.

Subd. 4. **Unauthorized communication prohibited.** Whoever initiates telephone communications with a violator with knowledge of an order issued pursuant to subdivision 2 and without prior police authorization, is guilty of a misdemeanor.

Subd. 5. **Defense.** Good faith reliance by telephone employees on an order issued pursuant to subdivision 2 shall constitute a complete defense to any legal action brought for an interruption of telephone communications occurring by reason of this section.

[1979 c 63 s 1; 1979 c 289 s 2]

CHAPTER 611. RIGHTS OF ACCUSED

Sec.
611.033 Copy of confession or admission.
611.04 Repealed.

Sec.
611.06 Defendant entitled to blank subpoenas.
611.08 Repealed.

611.033 Copy of confession or admission.

A statement, confession, or admission in writing shall not be received in evidence in any criminal proceeding against any defendant unless within a reasonable time of the taking thereof the defendant is furnished with a copy thereof and which statement, confession, or admission shall have endorsed thereon or attached thereto the receipt of the accused or certification of a peace officer which shall state that a copy thereof has been received by or made available to the accused.

[1979 c 258 s 20]

611.04 [Repealed, 1979 c 233 s 42]

611.06 Defendant entitled to blank subpoenas.

The clerk of the court in which any indictment is to be tried shall at all times, upon application of a defendant not represented by counsel, and without charge, issue as many blank subpoenas, under the seal of the court, and subscribed by him as clerk, for witnesses in the state, as are approved by order of court as provided by Rule 22.01, Subdivision 3, of the rules of criminal procedure and required by the defendant.

Issuance of subpoenas shall not require court approval if defendant is represented by counsel.

[1979 c 233 s 25]

611.08 [Repealed, 1979 c 233 s 42]