

## CHAPTER 242

### CORRECTIONS; YOUTH

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#### 242.14 PLACEMENT IN PENAL INSTITUTION PROHIBITED.

The commissioner of corrections shall not have power by virtue of any commitment to the commissioner by a juvenile court, as authorized by section 260B.198, to place a committed child in a penal institution.

**History:** 1999 c 139 art 4 s 2

#### 242.19 METHODS OF CONTROL.

Subd. 2. **Dispositions.** When a child has been committed to the commissioner of corrections by a juvenile court, upon a finding of delinquency, the commissioner may for the purposes of treatment and rehabilitation:

(a) order the child's confinement to the Minnesota correctional facility—Red Wing or the Minnesota correctional facility—Sauk Centre, which shall accept the child, or to a group foster home under the control of the commissioner of corrections, or to private facilities or facilities established by law or incorporated under the laws of this state that may care for delinquent children;

(b) order the child's release on parole under such supervisions and conditions as the commissioner believes conducive to law-abiding conduct, treatment and rehabilitation;

(c) order reconfinement or renewed parole as often as the commissioner believes to be desirable;

(d) revoke or modify any order, except an order of discharge, as often as the commissioner believes to be desirable;

(e) discharge the child when the commissioner is satisfied that the child has been rehabilitated and that such discharge is consistent with the protection of the public;

(f) if the commissioner finds that the child is eligible for probation or parole and it appears from the commissioner's investigation that conditions in the child's or the guardian's home are not conducive to the child's treatment, rehabilitation, or law-abiding conduct, refer the child, together with the commissioner's findings, to a local social services agency or a licensed child-placing agency for placement in a foster care or, when appropriate, for initiation of child in need of protection or services proceedings as provided in sections 260C.001 to 260C.421. The commissioner of corrections shall reimburse local social services agencies for foster care costs they incur for the child while on probation or parole to the extent that funds for this purpose are made available to the commissioner by the legislature. The juvenile court shall order the parents of a child on probation or parole to pay the costs of foster care under section 260B.331, subdivision 1, according to their ability to pay, and to the extent that the commissioner of corrections has not reimbursed the local social services agency.

Subd. 3. **Retaking absconding and other person.** The written order of the commissioner of corrections is authority to any peace officer or parole or probation officer to take and detain any child committed to the commissioner of corrections by a juvenile court who absconds from field supervision or escapes from confinement, violates furlough conditions, or is released from court while on institution status. Any person of the age of 18 years or older who is taken into custody under the provisions of this subdivision may be detained as provided in section 260B.181, subdivision 4.

**History:** 1999 c 139 art 4 s 2

#### 242.192 CHARGES TO COUNTIES.

The commissioner shall charge counties or other appropriate jurisdictions for the actual per diem cost of confinement, excluding educational costs, of juveniles at the Minnesota

correctional facility—Red Wing and of juvenile females committed to the commissioner of corrections. This charge applies to both counties that participate in the Community Corrections Act and those that do not. The commissioner shall annually determine costs, making necessary adjustments to reflect the actual costs of confinement. All money received under this section must be deposited in the state treasury and credited to the general fund.

**History:** 1999 c 216 art 4 s 7

### **242.31 RESTORATION OF CIVIL RIGHTS; POSSESSION OF FIREARMS.**

Subdivision 1. **Restoration.** Whenever a person who has been committed to the custody of the commissioner of corrections upon conviction of a crime following certification under the provisions of section 260B.125 is finally discharged by order of the commissioner, that discharge shall restore the person to all civil rights. The commissioner shall file a copy of the order with the district court of the county in which the conviction occurred.

*[For text of subs 2 and 2a, see M.S.1998].*

**History:** 1999 c 139 art 4 s 2