



H.F. 4540

As introduced

Subject Public Safety, Corrections, and Judiciary Supplemental Appropriations Bill

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Overview

This is the public safety, corrections, and judiciary supplemental appropriations bill.

Article 1: Appropriations

This article contains appropriations for the following: Sentencing Guidelines, Department of Public Safety, Department of Corrections, Supreme Court, and the disaster contingency account.

Section	Description – Article 1: Appropriations
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| 1 | Appropriations.
Summarizes direct appropriations by fund. |
| 2 | Supreme court.
Subd. 1. Total appropriation. Appropriates \$4,500,000 in fiscal year 2021 to the supreme court.
Subd. 2. Competitive grant program for courthouse safety and security. Appropriates \$1,000,000 for a competitive grant program for government entities that manage courthouses. Grant funds are designated for courthouse safety and security.
Subd. 3. Cyber Security for the State’s Court System. Appropriates \$3,500,000 to improve the security of the state’s court computer network. |
| 3 | Department of Corrections.
Subd. 1. Total appropriation. Appropriates \$1,208,000 in fiscal year 2020 and \$23,138,000 in fiscal year 2021 to the Department of Corrections. |

Section Description – Article 1: Appropriations

Subd. 2. Correctional institutions. Appropriates \$481,000 in fiscal year 2020 and \$12,669,000 in fiscal year 2021 to correctional institutions.

(a) Safety in state correctional facilities. Appropriates \$5,050,000 in fiscal year 2021 to upgrade critical security infrastructure and modernize critical security systems. \$200,000 in fiscal year 2021 is to study security reforms at St. Cloud and Stillwater.

(b) Corrections overtime and staffing. Appropriates funds in fiscal year 2020 and fiscal year 2021 for increased compensation costs including overtime.

(c) Prison population reduction. Reduces the base in fiscal years 2021, 2022, and 2023 based on an anticipated reductions in state prison beds needed because of increased use of community-based alternatives to supervised release revocations.

Subd. 3. Community services. Appropriates \$543,000 in fiscal year 2020 and \$9,483,000 in fiscal year 2021 for community services.

(a) Safety in state correctional facilities. Appropriates \$150,000 in fiscal year 2021 to expand the Department of Correction's inspection and enforcement unit.

(b) Investments in community supervision partners. Appropriates:

- \$3,925,000 in fiscal year 2021 to the community corrections act subsidy;
- \$310,000 in fiscal year 2021 to county probation officer reimbursements;
- \$205,000 in fiscal year 2020 and \$430,000 in fiscal year 2021 for offender supervision in Meeker and Renville counties;
- \$422,000 in fiscal year 2021 to increase the Department of Correction's offender supervision;
- \$2,613,000 in fiscal year 2021 to establish county and regional revocation intervention service centers; and
- \$365,000 in fiscal year 2021 to fund cognitive behavioral treatment, community based sex offender treatment, and housing alternatives.

(c) Corrections overtime and staffing. Appropriates funds in fiscal year 2020 and fiscal year 2021 for increased compensation costs including overtime.

Subd. 4. Operations support. Appropriates \$184,000 in fiscal year 2020 and \$986,000 in fiscal year 2021 for the department's operations support group.

Section Description – Article 1: Appropriations

- (a) Safety in state correctional facilities.** Appropriates \$250,000 in fiscal year 2021 to fund leadership training and \$150,000 in fiscal year 2021 to expand employee support initiatives.
- (b) Corrections overtime and staffing.** Appropriates funds in fiscal year 2020 and fiscal year 2021 for increased compensation costs including overtime.

4 Sentencing guidelines.

Appropriates \$8,000 in fiscal year 2020 and \$36,000 in fiscal year 2021 to the Sentencing Guidelines Commission.

5 Public safety.

Subd. 1. Total appropriation. Appropriates \$8,232,000 in fiscal year 2021.

Subd. 2. Criminal apprehension. Appropriates \$6,232,000 in fiscal year 2021 to the BCA.

(a) Coordinated Crime and Threat Reporting. Appropriates \$1,750,000 to fund staff and operating costs necessary to manage the coordinated crime and threat reporting program.

(b) Storage, tracking, and testing for sexual assault examination kits. Appropriates \$3,096,000 to cover the cost of testing unrestricted sexual assault examination kits, storing restricted sexual assault examination kits, and development of a website for sexual assault survivors to track the status of their sexual assault examination kits.

(c) Laboratory capacity enhancement to combat violent crime. Appropriates \$1,386,000 to expand the capacity of the BCA's crime lab to process forensic samples related to violent crime.

Subd. 3. Office of Justice Programs (OJP). Appropriates \$2,000,000 to OJP for violence prevention grants. Of this amount:

- \$1,500,000 is for community-based violence prevention grants;
- \$400,000 is for an integrated gun violence response framework grant; and
- \$100,000 is for a violence prevention coordinator position at DPS.

6 Disaster Contingency Account.

Transfers \$30,000,000 in fiscal year 2020 from the general fund to the disaster assistance contingency account.

Article 2: Policy

This article provides for reimbursement to the Department of Corrections by counties who receive probation services from the DOC; establishes grants to reduce violent crime and develop a framework to respond to gun violence; provides for the storage of sexual assault examination kits, including the development of a sexual assault examination consent form and web database; requires a background check on contractors with access to the results of a federal criminal history records check; directs county aid to be transferred directly to the Board of Public Defense for approved expenses; and permits the state public defender to approve appointment of counsel other than the district public defender in certain cases.

Section	Description – Article 2: Policy
1	Compensation. Amends the provision relating to compensation by counties to the Department of Corrections for probation supervision provided by the DOC. Provides that amounts equivalent to the reimbursement from counties for new or increased probation services are appropriated from the general fund to the commissioner of corrections and requires the commissioner of corrections to report those amounts to the commissioner of management and budget.
2	Community-based violent crime prevention grants. Permits the commissioner of public safety to issue grants to local units of government that focus on strategies designed to impact and address violent crime. Eligible recipients must serve areas that are underserved or have high rates of violent crime and must demonstrate experience or capacity to implement strategies that will reduce violent crime. Strategies may include prevention, intervention, and enforcement to reduce the impact and prevalence of violence in communities.
3	Gun violence prevention framework grant. Permits the commissioner of public safety to issue grants to develop a metropolitan area model for a gun violence response network. Eligible recipients must involve collaborations between a public health department from a city of the first class, a joint county and city public health agency, and a community-based social services agency. Proposals must address responses to gun violence, plan for gathering and disseminating information, and develop training curricula. Collaborators may contract with outside organizations and must report to the committees with jurisdiction over criminal justice funding and policy.
4	Submission and storage of sexual assault examination kits. (a) Requires each unrestricted sexual assault examination kit to be tested and requires the kit to be retained indefinitely after being tested by the law enforcement agency investigating the case.

Section Description – Article 2: Policy

(b) Requires restricted sexual assault examination kits to be submitted to the BCA within 60 days and for the BCA to store the kits for at least 30 months. [See, H.F. 2983]

5 Uniform consent form.

Directs the BCA to develop and distribute a uniform sexual assault examination kit consent form for victims of sexual violence. [See, H.F. 2983]

6 Web database requirement.

Requires the BCA to create a searchable web database where victims may determine the status of their sexual assault examination kits. [See, H.F. 2983]

7 Authorized use; fee.

Modifies the requirements for certain noncriminal justice agencies to have access to the state's Criminal Justice Communications Network. Under this proposal, before a contractor who works for a noncriminal justice agency that does not have a secure network connection may access federal criminal history records transferred to the agency via the state's criminal justice communications network, the contractor must pass a background check as prescribed in paragraph (h) of the amended statute.

8 Counties.

Amends the process for payment of services provided by the Board of Public Defense under section 611.27. Under current law, the commissioner of revenue retains money to make reimbursements to the commissioner of management and budget for payments MMB makes to the Board of Public Defense. The bill provides for money to be directly appropriated to the Board of Public Defense and requires the Board to certify any amounts that are not expended or encumbered in a fiscal year.

9 Request for other appointment of counsel.

Permits a chief public defender to request that the state public defender authorize appointment of counsel other than the district public defender in some cases. Under current law, the state public defender must request that a district court judge appoint counsel.

10 Addition of permanent staff.

Makes a conforming change providing that a chief public defender may not request, and the state public defender may not approve, the addition of permanent staff.

11 Appointment of counsel.

Permits the state public defender to determine that the district public defender cannot provide adequate services to a defendant and then approve appointment of

Section	Description – Article 2: Policy
	other counsel. Current law requires the court to order the appointment of outside counsel.
12	Correctional facility inmates. Makes conforming changes related to sections 8 and 11, referencing counsel approved by the state public defender instead of counsel appointed by the court and money transferred by the commissioner of revenue instead of retained by the commissioner.
13	Costs of transcripts. Makes a conforming change related to section 8, permitting the Board of Public Defense to pay for transcripts from county aid transferred by the commissioner of revenue.



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