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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 3084

03/14/2016 Authored by Zerwas and Schoen

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance

1.1 A bill for an act  
1.2 relating to criminal justice; establishing a task force and requiring reporting on  
1.3 issues related to persons with hearing loss who are involved in the criminal  
1.4 justice system; providing appointments; appropriating money; amending  
1.5 Minnesota Statutes 2014, sections 241.016, subdivision 1; 299C.18.

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

1.7 Section 1. Minnesota Statutes 2014, section 241.016, subdivision 1, is amended to read:

1.8 Subdivision 1. **Biennial report.** (a) The Department of Corrections shall submit a  
1.9 performance report to the chairs and ranking minority members of the senate and house  
1.10 of representatives committees and divisions having jurisdiction over criminal justice  
1.11 funding by January 15 of each odd-numbered year. The issuance and content of the report  
1.12 must include the following:

1.13 (1) department strategic mission, goals, and objectives;

1.14 (2) the department-wide per diem, adult facility-specific per diems, and an average  
1.15 per diem, reported in a standard calculated method as outlined in the departmental policies  
1.16 and procedures;

1.17 (3) department annual statistics as outlined in the departmental policies and  
1.18 procedures; ~~and~~

1.19 (4) information about prison-based mental health programs, including, but not  
1.20 limited to, the availability of these programs, participation rates, and completion rates; and

1.21 (5) information about inmates who have hearing loss, or are deaf or deafblind,  
1.22 including, but not limited to, the number of inmates so identified in each facility; the  
1.23 number, kind, and amount spent providing reasonable accommodations to these inmates;  
1.24 and the number of requests for reasonable accommodations submitted by these inmates  
1.25 that were denied.

2.1 (b) The department shall maintain recidivism rates for adult facilities on an annual  
 2.2 basis. In addition, each year the department shall, on an alternating basis, complete a  
 2.3 recidivism analysis of adult facilities, juvenile services, and the community services  
 2.4 divisions and include a three-year recidivism analysis in the report described in paragraph  
 2.5 (a). The recidivism analysis must: (1) assess education programs, vocational programs,  
 2.6 treatment programs, including mental health programs, industry, and employment; and (2)  
 2.7 assess statewide re-entry policies and funding, including postrelease treatment, education,  
 2.8 training, and supervision. In addition, when reporting recidivism for the department's  
 2.9 adult and juvenile facilities, the department shall report on the extent to which offenders it  
 2.10 has assessed as chemically dependent commit new offenses, with separate recidivism rates  
 2.11 reported for persons completing and not completing the department's treatment programs.

2.12 Sec. 2. Minnesota Statutes 2014, section 299C.18, is amended to read:

2.13 **299C.18 BUREAU OPERATIONS REPORT.**

2.14 Biennially, on or before November 15, in each even-numbered year the  
 2.15 superintendent shall submit to the governor and the legislature a detailed report of the  
 2.16 operations of the bureau, of information about crime and the handling of crimes and  
 2.17 criminals by state and local officials collected by the bureau, and the superintendent's  
 2.18 interpretations of the information, with comments and recommendations. The data  
 2.19 contained in the report on Part I offenses cleared by arrest, as defined by the United  
 2.20 States Department of Justice, shall be collected and tabulated geographically at least on a  
 2.21 county-by-county basis. In addition, the report must include information on the number  
 2.22 of persons who were deaf or deafblind or with hearing loss incarcerated in a jail during  
 2.23 the preceding two calendar years. In such reports the superintendent shall, from time to  
 2.24 time, include recommendations to the legislature for dealing with crime and criminals and  
 2.25 information as to conditions and methods in other states in reference thereto, and shall  
 2.26 furnish a copy of such report to each member of the legislature.

2.27 Sec. 3. **DEAF, DEAFBLIND, AND HARD-OF-HEARING PEOPLE'S ACCESS**  
 2.28 **TO JUSTICE TASK FORCE.**

2.29 Subdivision 1. **Membership.** (a) The Deaf, Deafblind, and Hard-of-Hearing  
 2.30 People's Access to Justice Task Force consists of the following 12 members:

- 2.31 (1) the superintendent of the Bureau of Criminal Apprehension, or designee;  
 2.32 (2) one individual appointed by the Minnesota Chiefs of Police Association;  
 2.33 (3) one individual appointed by the Minnesota Sheriffs' Association;  
 2.34 (4) one individual appointed by the Minnesota Association of Deaf Citizens;

- 3.1 (5) one individual appointed by the Minnesota DeafBlind Association;  
3.2 (6) one individual appointed by the Commission of Deaf, Deafblind, and  
3.3 Hard-of-Hearing Minnesotans;  
3.4 (7) one individual appointed by the Minnesota Disability Law Center;  
3.5 (8) one attorney in private practice who specializes in working with deaf and  
3.6 deafblind clients;  
3.7 (9) one representative appointed by the speaker of the house;  
3.8 (10) one representative appointed by the minority leader of the house of  
3.9 representatives; and  
3.10 (11) two senators, one from the majority caucus and the other from the minority  
3.11 caucus, appointed by the Subcommittee on Committees of the senate Rules and  
3.12 Administration Committee.

3.13 (b) Any vacancy shall be filled by appointment of the appointing authority for the  
3.14 vacating member.

3.15 (c) Members shall be appointed by August 1, 2016.

3.16 Subd. 2. **Duties.** The task force shall research how to provide deaf, deafblind,  
3.17 and hard-of-hearing people access to interpreters or assistive listening technology, as  
3.18 appropriate for the individual, for encounters with law enforcement throughout the state  
3.19 24 hours a day, seven days a week.

3.20 Subd. 3. **First meeting; chair.** The representative appointed by the Commission of  
3.21 Deaf, Deafblind, and Hard-of-Hearing Minnesotans shall convene the initial meeting of  
3.22 the task force by September 1, 2016. The members of the task force shall elect a chair  
3.23 from among the deaf, deafblind, and hard-of-hearing members at the first meeting.

3.24 Subd. 4. **Compensation.** Public members of the task force shall be compensated  
3.25 pursuant to Minnesota Statutes, section 15.058, subdivision 3.

3.26 Subd. 5. **Staff.** The Legislative Coordinating Commission shall provide staff  
3.27 support, as needed, to facilitate the task force's work.

3.28 Subd. 6. **Report.** The task force shall submit a report by January 1, 2017, to the  
3.29 chairs and ranking minority members of the committees in the senate and house of  
3.30 representatives with primary jurisdiction over law enforcement summarizing its findings  
3.31 and listing recommendations. The report must include draft legislation to implement the  
3.32 recommendations of the task force.

3.33 Subd. 7. **Sunset.** The task force expires the day following the submission of the  
3.34 report under subdivision 6, or January 1, 2017, whichever is earlier.

3.35 **EFFECTIVE DATE.** This section is effective the day following final enactment.

4.1       Sec. 4. **APPROPRIATION.**

4.2             \$..... is appropriated from the general fund to the Legislative Coordinating  
4.3 Commission in fiscal year 2017 for the purposes of the Deaf, Deafblind, and  
4.4 Hard-of-Hearing People's Access to Justice Task Force established in section 3.