

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 1333

(SENATE AUTHORS: LATZ)

DATE
02/06/2023

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Introduction and first reading
Referred to Judiciary and Public Safety

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to corrections; expanding the authority of the Department of Corrections
1.3 Fugitive Apprehension Unit; amending Minnesota Statutes 2022, section 241.025,
1.4 subdivisions 1, 2, 3.

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

1.6 Section 1. Minnesota Statutes 2022, section 241.025, subdivision 1, is amended to read:

1.7 Subdivision 1. **Authorization.** The commissioner of corrections may appoint peace
1.8 officers, as defined in section 626.84, subdivision 1, paragraph (c), who shall serve in the
1.9 classified service subject to the provisions of section 43A.01, subdivision 2, and establish
1.10 a law enforcement agency, as defined in section 626.84, subdivision 1, paragraph (f), known
1.11 as the Department of Corrections Fugitive Apprehension Unit, to perform the duties necessary
1.12 to make statewide arrests under sections 629.30 and 629.34. The jurisdiction of the law
1.13 enforcement agency is ~~limited to~~ primarily the arrest of Department of Corrections'
1.14 discretionary and statutory released violators and Department of Corrections' escapees and
1.15 this must be its primary focus. The Department of Corrections Fugitive Apprehension Unit
1.16 may respond to a law enforcement agency's request to exercise general law enforcement
1.17 duties during the course of official duties by carrying out law enforcement activities at the
1.18 direction of the law enforcement agency of jurisdiction. In addition, the unit may investigate
1.19 criminal offenses in agency-operated correctional facilities and surrounding property.

1.20 Sec. 2. Minnesota Statutes 2022, section 241.025, subdivision 2, is amended to read:

1.21 Subd. 2. **Limitations.** The initial processing of a person arrested by the fugitive
1.22 apprehension unit for an offense ~~within the agency's jurisdiction~~ is the responsibility of the
1.23 fugitive apprehension unit unless otherwise directed by the law enforcement agency with

2.1 primary jurisdiction. A subsequent investigation is the responsibility of the law enforcement
2.2 agency of the jurisdiction ~~in which a new crime is committed~~ unless the law enforcement
2.3 agency authorizes the fugitive apprehension unit to assume the subsequent investigation.
2.4 At the request of the primary jurisdiction, the fugitive apprehension unit may assist in
2.5 subsequent investigations or law enforcement efforts being carried out by the primary
2.6 jurisdiction. Persons arrested for violations that the fugitive apprehension unit determines
2.7 are not within the agency's jurisdiction must be referred to the appropriate local law
2.8 enforcement agency for further investigation or disposition.

2.9 Sec. 3. Minnesota Statutes 2022, section 241.025, subdivision 3, is amended to read:

2.10 Subd. 3. **Policies.** The fugitive apprehension unit must develop and file all policies
2.11 required under state law for law enforcement agencies. The fugitive apprehension unit also
2.12 must develop a policy for contacting law enforcement agencies in a city or county before
2.13 initiating any fugitive surveillance, investigation, or apprehension within the city or county.
2.14 ~~These policies must be filed with the board of peace officers standards and training by~~
2.15 ~~November 1, 2000.~~ Revisions of any of these policies must be filed with the board within
2.16 ten days of the effective date of the revision. The Department of Corrections shall train all
2.17 of its peace officers regarding the application of these policies.