

House Research Act Summary

CHAPTER: 92

SESSION: 2001 Regular Session

TOPIC: Detention of Persons at Card Clubs

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1 **Detention of persons at card club.** Allows detention of persons suspected of violating gambling laws at card clubs.

Subdivision 1. Authorization. Allows card club security personnel to detain a person if the licensee has reasonable cause to believe the person violated provisions of the criminal code while at the card club. The authority includes the racing commission's director of security and racetrack security personnel licensed by the racing commission.

Subd. 2. Circumstances under which a person may be detained. Allows detention under subdivision 1 to:

- require the detained person to provide or verify identification,
- inquire as to possession of contraband,
- inform a peace officer, or
- institute criminal proceedings

Requires that the detained person be promptly informed of the purpose of the detention. Prohibits the person from being subject to unnecessary or unreasonable force, or being involuntarily interrogated. Provides that the licensee must immediately notify a peace officer if requested by the detained person. Prohibits a commission licensee from detaining a person for more than one hour unless the detention is requested by a peace officer, in which case the person may be detained until the officer accepts custody or releases the detainee.

Subd. 3. Arrest. Allows a peace officer to arrest a detained person without a warrant if the officer has reasonable grounds to believe the person has violated provisions of the criminal code.

Subd. 4. Immunity. Makes licensees and peace officers immune from liability for an action authorized by this section if probable cause existed for the arresting person's action and the detention was not done with unreasonable force or in bad faith.

