

HOUSE RESEARCH

Bill Summary

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Version: Second Engrossment

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Subject: DOC-related issues; DWI sentences; MTC Police

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Overview

This bill authorizes sex offender treatment providers to charge co-pays from offenders; changes references from intensive supervision *agents* to intensive supervision *staff* and reduces the number of intensive supervision staff who must have qualifications comparable to those for agents; provides that a DOC independent, contracted, board-certified forensic pathologist shall issue a certificate of death in all DOC incarcerated deaths; and adds language to the mandatory sentence provision in the DWI law to specifically require a court to *impose* sentence on an offender who comes within the scope of this provision. The bill also authorizes transit officers to conduct investigations and authorizes transit officers to obtain and serve search warrants.

Section

- 1 **Sex offender treatment fee.** Authorizes the DOC to allow sex offender treatment providers to charge and collect treatment co-pays from all offenders in their treatment programs, based upon a fee schedule established by the commissioner. Specifies that fees collected shall be used by the treatment provider to fund the costs of treatment.
- 2 **Records of violent or mysterious deaths.** Expands the list of individuals who may issue a record of death in cases of violent or mysterious deaths to include a department of corrections independent, contracted, board-certified forensic pathologist. Allows the DOC independent, contracted, board-certified forensic pathologist to issue the certificate of death in all DOC incarcerated deaths.
- 3 **Mandatory prison sentence.** Adds language to the mandatory sentence provision in the DWI law to provide that the court shall *impose* a sentence upon a person who is convicted of a first-degree driving while impaired offense. Currently, the law requires the court to sentence a person convicted of this crime, but does not directly refer to imposition of sentence.
- 4 **Authorization.** Authorizes transit police to conduct investigations.
- 5 **Arrests and subsequent investigations.** Permits local law enforcement agencies to authorize

the transit police to undertake or assist in the investigation of crime within their jurisdiction.

- 6 **Policy for notice of investigations.** Requires transit police to develop a policy for notifying the law enforcement agency with primary jurisdiction when the transit police initiates surveillance or investigation of any person within the jurisdiction of that agency. Strikes language requiring the transit police to have agreed-upon policy language with local law enforcement agencies with jurisdiction in the areas that the transit police operate.
- 7 **Peace officer.** Adds "metropolitan transit police officer" to the definition of "peace officer" in chapter 626.
- 8 **Issuance of warrant.** Authorizes transit police officers to apply for and obtain a search warrant.
- 9 **Service; persons making.** Authorizes both police officers and transit police officers to serve a search warrant.
- 10 **Application.** Applies sections 4 to 6 to Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington counties.
- 11 **Effective date.** Establishes the day following final enactment as the effective date.