

Subject Data Practices – Corrections and Jails

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## Overview

This bill contains a variety of policy proposals that impact data practices in prisons and jails.

## Summary

Section	Description
1	<p><b>Mental health screening.</b></p> <p>Permits a sheriff or local corrections official to share certain mental health data on inmates. Allows a jail to refer an inmate to county human services personnel in order to arrange services after the inmate is released.</p>
2 to 9	<p><b>Ombudsman for corrections.</b></p> <p>Re-establishes the Ombudsman for Corrections which the legislature eliminated in 2003. The ombudsman is tasked with promoting “the highest standards of competence, efficiency, and justice in the administration of corrections.” The ombudsman is empowered with the authority to investigate decisions, acts, and other matters of the Department of Corrections. Delineates the specific powers granted to the ombudsman, including subpoena power, the right to access agency data and information, and the authority to file suit to invoke its powers. Further, defines the scope of appropriate investigations and authorizes the ombudsman to investigate complaints from jails and detention facilities.</p> <p>Also provides guidance on ombudsman qualifications, employee selection, access to data, complaint form and handling, publication of ombudsman recommendations, and annual reports. Finally, proposes a blank appropriation to fund the office of the ombudsman.</p>
10	<p><b>Administrative and disciplinary segregation.</b></p> <p><b>Subd. 1. Authorization.</b> Establishes the grounds that the Commissioner of Corrections can rely upon to place an inmate in segregation.</p> <p><b>Subd. 2. Conditions in segregated housing.</b> Establishes the minimum conditions that the commissioner must offer inmates in segregated housing.</p>

Section	Description
	<p><b>Subd. 3. Review of disciplinary segregation status.</b> Establishes mandatory review periods for inmates in segregated housing.</p> <p><b>Subd. 4. Graduated disciplinary sanctions.</b> Requires the commissioner to design and implement a graduated scale of responses to infractions.</p> <p><b>Subd. 5. Mental health assessments; transfer to treatment.</b> Requires inmates placed in segregation to be assessed for mental illness. If an inmate is diagnosed with an acute mental illness, the inmate should be placed in an alternative setting.</p> <p><b>Subd. 6. Mental health care within segregated housing.</b> Requires regular mental health checks of inmates in segregation.</p> <p><b>Subd. 7. Incentives for return to the general population.</b> Requires the commissioner to design and implement a system of incentives for inmates to return to the general population.</p> <p><b>Subd. 8. Discharge from segregated housing.</b> Prohibits the commissioner from releasing an inmate directly to the community from segregated housing. Requires a mental health exam before an inmate who served more than 30 days in segregation returns to the general population.</p> <p><b>Subd. 9. Reporting.</b> Requires the commissioner to prepare an annual report to the legislature detailing the commissioner's use of segregated housing.</p>
11	<p><b>Removal of data from system.</b></p> <p>Allows the BCA to retain records for three years after a person is released from the custody of the commissioner of corrections if the commissioner documents activities meeting the criminal gang identification criteria that took place while the inmate was confined in a state correctional facility.</p>
12	<p><b>Intake procedure; approved mental health screening.</b></p> <p>Allows a jail to share private data on an inmate in order to:</p> <ul style="list-style-type: none"><li>▪ assist the inmate in applying for medical assistance of MinnesotaCare;</li><li>▪ refer the inmate for case management by a county;</li><li>▪ assist the inmate in obtaining state photo identification;</li><li>▪ secure an appointment with a mental health provider;</li><li>▪ obtain necessary medications; or</li><li>▪ provide behavioral health service coordination.</li></ul>
13	<p><b>Appropriation.</b></p> <p>Appropriates money to the commissioner of corrections to administer sections 3 to 8.</p>



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