Overview

This bill establishes a conditional release board that is authorized to grant early release from prison to certain older inmates if the board determines that the inmate's release poses no danger to the public or to any individual.

1 Conditional release of older prisoners.

Subd. 1. Conditional release board; creation. Creates a conditional release board with the authority to release prison inmates who qualify for release under this section and any rules adopted by the board.

Subd. 2. Membership. Establishes the membership of the board. Provides for the following seven members who will serve for six-year terms:

- the commissioner of corrections or a designee
- the commissioner of public safety or a designee
- the attorney general or a designee
- four public members appointed by the governor with the advice and consent of the senate. These members must have knowledge of or experience in corrections or related fields and must be able to consider both the needs of the inmates and the needs of public safety. At least one must be male, at least one must be female and at least one must be a member of a minority group.

Subd. 3. Conditional release of certain older prisoners. Authorizes the following prison inmates to petition the board for conditional release from prison before their scheduled release date:

- inmates who are at least 65 years of age and who have served at least five years of their term of imprisonment; and
- inmates who are at least 60 years of age who have served at least ten years of their term
Inmates sentenced to life imprisonment who are eligible for supervised release are also eligible to be considered for conditional release under this section. This includes all persons sentenced to life imprisonment except persons convicted of rape-murder, kidnapping-murder, murder of a peace officer or a correctional guard, or murder after having previously been convicted of a "heinous crime."

**Subd. 4. Release procedures.** Provides that the board may not grant an inmate conditional release unless the board determines that the inmate's release will not pose a danger to the public or to any individual. Establishes procedures and criteria for the board to use in making its determination. States that if conditional release is granted, it continues until either the inmate's sentence expires or the release is rescinded.

**Subd. 5. Conditional release.** Authorizes the board to rescind an inmate's conditional release without a hearing if the board determines that the continuation of the release poses a danger to the public or to any individual. If conditional release is rescinded, the inmate must return to prison to serve the remaining portion of the sentence.

**Subd. 6. Applicability to conditional medical release.** Provides that this section does not affect the Commissioner of Corrections' current authority to grant conditional medical release to inmates who are suffering from a grave illness or medical condition whose release poses no threat to the public.

**Effective date.** August 1, 1999, for inmates serving terms of imprisonment on or after that date.