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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. 702

February 12, 2009

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The bill was read for the first time and referred to the Committee on Public Safety Policy and Oversight

March 12, 2009

Committee Recommendation and Adoption of Report:

To Pass and re-referred to the Committee on Civil Justice

March 24, 2009

Committee Recommendation and Adoption of Report:

To Pass and re-referred to the Committee on Finance

1.1 A bill for an act
1.2 relating to public safety; requiring the collection and reporting of specified
1.3 summary data relating to decisions that affect a child's status within the juvenile
1.4 justice system; proposing coding for new law in Minnesota Statutes, chapter
1.5 260B.

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

1.7 Section 1. **[260B.50] JUVENILE JUSTICE SYSTEM DECISION POINTS;**
1.8 **REPORTS REQUIRED.**

1.9 Subdivision 1. **Definition.** As used in this section, "juvenile justice system
1.10 point-of-contact decision-making agency" includes the following:

1.11 (1) a law enforcement agency;

1.12 (2) a state or local probation agency;

1.13 (3) a prosecutorial office;

1.14 (4) a judicial district; and

1.15 (5) a juvenile or adult detention facility, juvenile shelter care facility, juvenile
1.16 residential facility, and a state or local juvenile correctional facility.

1.17 Subd. 2. **Report required.** (a) The head of a juvenile justice system point-of-contact
1.18 decision-making agency shall report as required in subdivision 3 on decisions made by
1.19 individuals within the agency relating to a child that affects the child's entry into or
1.20 status within the juvenile justice system. A decision that affects a child's entry into or
1.21 status within the juvenile justice system includes, but is not limited to, those relating to
1.22 the following:

1.23 (1) issuing a notice or summons to appear in court;

1.24 (2) arresting or taking the child into custody;

- 2.1 (3) preadjudication detention or release from custody both before and at an initial
2.2 hearing;
- 2.3 (4) petitioning the child for an offense;
- 2.4 (5) placement in a preadjudication or postadjudication diversion or similar program;
- 2.5 (6) adjudicating the child as an extended jurisdiction juvenile, delinquent, or petty
2.6 offender;
- 2.7 (7) dispositions;
- 2.8 (8) placement in, treatment and programming offered in, and release from a
2.9 residential facility;
- 2.10 (9) probation conditions and sanctions for violations including, but not limited
2.11 to, detention;
- 2.12 (10) adult certification; and
- 2.13 (11) release from judicial or correctional supervision.
- 2.14 (b) A decision is not required to be reported if it has already been or will be reported
2.15 by another agency.
- 2.16 **Subd. 3. Information in report; annual report to legislature.** (a) By January 15
2.17 of each year, the head of each juvenile justice system point-of-contact decision-making
2.18 agency shall submit a report to the commissioner of public safety. The report must contain
2.19 the information required under this section for all decisions made by individuals within
2.20 the agency relating to a child's entry into or status within the juvenile justice system for
2.21 the preceding calendar year. The commissioner shall specify the process for submitting
2.22 reports and develop guidelines to administer this section. Reports under this section must
2.23 specify the child's race, ethnicity, gender, county of residence, county of offense, offense,
2.24 and age. A report may not include a child's name or otherwise identify the child.
- 2.25 (b) By March 15 of each year, the commissioner shall submit a summary of the data
2.26 collected under this section to the chairs and ranking minority members of the senate and
2.27 house of representatives committees having jurisdiction over juvenile justice policy.