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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. 2864

February 11, 2010

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

March 1, 2010

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on Finance

1.1 A bill for an act
1.2 relating to public safety; authorizing a pilot project to allow judges to order
1.3 electronic monitoring for domestic abuse offenders on pretrial release; amending
1.4 Minnesota Statutes 2008, section 629.72, subdivision 2a.

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

1.6 Section 1. Minnesota Statutes 2008, section 629.72, subdivision 2a, is amended to read:

1.7 Subd. 2a. **Electronic monitoring; condition of pretrial release.** (a) Until the
1.8 commissioner of corrections has adopted standards governing electronic monitoring
1.9 devices used to protect victims of domestic abuse, the court, as a condition of release, may
1.10 not order a person arrested for a crime described in section 609.135, subdivision 5a,
1.11 paragraph (b), to use an electronic monitoring device to protect a victim's safety.

1.12 (b) Notwithstanding paragraph (a), ~~district courts in the Tenth~~ a judicial district
1.13 may establish a pilot project to allow courts in the district to order, as a condition of a
1.14 release, a person arrested on a charge of a crime described in section 609.135, subdivision
1.15 5a, paragraph (b), to use an electronic monitoring device to protect the victim's safety.
1.16 The chief judge of a judicial district conducting a pilot project under this paragraph
1.17 shall convene an advisory group consisting of representatives from law enforcement,
1.18 prosecutors, defense attorneys, court administrators, judges, and battered women's
1.19 organizations. A judicial district must develop standards for the use and evaluation of
1.20 electronic monitoring devices to protect victims of domestic abuse and must ensure that
1.21 release of electronic monitoring data is used only to protect victims. The courts judicial
1.22 district shall make data from the pilot project on the use of electronic monitoring devices
1.23 to protect a victim's safety in the Tenth Judicial District available to the commissioner of
1.24 corrections to evaluate and to aid in development of standards for the use of devices to

2.1 protect victims of domestic abuse. A district shall report information on the pilot project
2.2 to the state court administrator's office as directed by that office. By January 15, 2013,
2.3 the state court administrator shall report by electronic means to the chairs and ranking
2.4 minority members of the senate and house committees having jurisdiction over criminal
2.5 justice policy on the experience of any pilot projects established under this paragraph.

2.6 **SUNSET.** The amendments to this section expire on January 15, 2013.