

MINNESOTA DEPARTMENT OF CORRECTIONS

REQUEST FOR COMMENTS

Possible Amendments to Rules Relating to Construction Standards for Correctional Facilities; Minnesota Rules, Chapter 2900; Revisor's ID Number R-4172

Subject of Rules. The Minnesota Department of Corrections (department) requests comments on the department's possible amendments to its rules on construction standards for correctional facilities. The department anticipates that the rule amendments will increase the safety and security of correctional facilities and correctional staff, inmates, and visitors.

The department's possible changes seek to standardize correctional-facility construction and serve to promote efficiency and economy, allowing facilities to deliver high-quality correctional services. The main changes include:

- developing a comprehensive performance-based correctional construction standard that supplements the State Building Code and establishes uniform performance standards;
- adding definitions;
- removing obsolete language; and
- using plain language to adopt accurate and effective regulations and standards.

The new correctional construction standard will help the department's mission to transform lives for a safer Minnesota by caring for inmates and ensuring their security and that of the Minnesota community.

Persons Affected. The rule amendments likely affect:

- class I, II, III, IV, V, and VI correctional facilities;
- municipal lockups;
- halfway houses licensed by the department;
- juvenile secure and nonsecure detention, including residential facilities, licensed by the department;
- private adult correctional facilities licensed by the department;
- construction management companies and correctional material manufacturers;
- architects, designers, and builders;
- facility staff, inmates, visitors, and volunteers;

- jail administrators;
- sheriffs, including the Minnesota Sheriff's Association; and
- county boards and the Association of Minnesota Counties.

Statutory Authority. The department has the statutory authority to amend and adopt rules on construction standards for correctional facilities under Minnesota Statutes, sections 241.021, subdivision 1; 401.03; 641.21; 641.22; and 641.261, subdivision 3.

Public Comment. Interested individuals or groups may email or mail comments or information on the possible rules until the department publishes a notice of intent to adopt the rules. The department will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from this notice's publication date. The department does not plan to use an advisory committee.


Rules Drafts. The department has not yet drafted the possible rules but will post rule drafts on its website (<https://mn.gov/doc/staff-partners/doing-business-doc/rulemaking/>) as drafts become available.

Agency Contact Person. Written comments, questions, requests to receive rule drafts, and requests for more information on the possible rules should be directed to Ian Lewenstein, ian.lewenstein@state.mn.us, 651-539-1414, or the Minnesota Department of Corrections, 1450 Energy Park Drive, St. Paul, MN 55108.

Alternative Format. Upon request, this information can be made available in an alternative format such as large print, braille, or audio. To make a request, please contact Ian Lewenstein.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge. The department is required to submit to the judge only those written comments received in response to the rules after they are proposed in a notice of intent to adopt the rules published in the *State Register*; if you submit comments before the notice is published and you want to ensure that the judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: August 9TH, 2021


Paul Schnell, Commissioner
Minnesota Department of Corrections