

PIERZ POLICE DEPARTMENT

Policy Name: Predatory Offender Registration And Community Notification Policy	
Policy Number: Section 33	Adoption Date: October 12, 2015
Accepted Date(s): October 12, 2015	

**Minnesota Statutes, Sections 243.166, 243.167, 244.052, 244.053 and
Minnesota Statutes, Chapter 13**

POLICY

It is the policy of the Pierz Police Department to protect the public by disclosing information on predatory offenders residing in an agency's community. The extent of the information disclosed and to whom is at the discretion of the agency unless otherwise noted. However, it must relate to the level of danger posed by the offender, to the offender's pattern of offending behavior, and to the need of community members to enhance their individual and collective safety.

DEFINITION

Three possible risk levels can be assigned to an offender:

- Level 1 - Low risk of re-offending
- Level 2 - Moderate risk of re-offending
- Level 3 - High risk of re-offending

Note: Some offenders are not assigned a risk level due to their offense being adjudicated prior to predatory offender legislation enactment or due to the offender's conviction not leading to supervision by the Department of Corrections. These offenders are still subject to the predatory offender registration statutes, though they are not subject to community notification.

PROCEDURE

A. Community Notification

For questions regarding community notification or risk level assigned to an offender, please contact the Predatory Offender Unit of the Department of Corrections (DOC) at 651-642-0279 or at www.corr.state.mn.us. The DOC will answer questions about the process and responsibilities, and assist agencies in conducting public notification meetings when an offender subject to notification moves into a law enforcement jurisdiction.

B. Notification Process

Level 1 - The purpose is to disclose information to raise awareness.

- Mandatory: Victims who have requested disclosure.
- Discretionary: Witnesses or victims, other law enforcement agencies.

Level 2 - The objective is to disclose information to safeguard facilities and protect the individuals within those facilities. (See Example, Attachment 2 – “Fact Sheet”).

- Mandatory: All persons and entities included in Level 1 disclosure.
- Discretionary: Groups and agencies that the offender is likely to encounter including staff members of both public and private schools, day care facilities, and organizations that would provide services to the individuals likely to be victimized by the offender.

Note: If the offender is placed or resides in a residential facility, do NOT disclose any information until the law enforcement agency is notified that the offender has been relocated.

Note: Consider using the following to assist with discretionary disclosure: the offender’s prior history; offense characteristics; employment; recreational, social, and religious interests; and characteristics of likely victim.

Level 3 - The goal is to disclose information not only to safeguard facilities and protect the individuals they serve, but also to protect the community as a whole.

- Mandatory: All persons and entities included in Level 1 and Level 2 disclosure. A good faith effort must be made to notify within 14 days of receiving documents from DOC.
- Discretionary: Other members of the community who the offender is likely to encounter, unless public safety would be compromised by the disclosure or a more limited disclosure is necessary to protect the identity of the victim.

Note: If the offender is placed or resides in a residential facility, do NOT disclose any information until the law enforcement agency is notified that the offender has been relocated.

Note: How an agency decides to inform the public is their discretion. The current standard for a Level 3 offender is to invite the community to a public meeting and disclose the necessary information.

C. Registration

For questions concerning registration, please contact the Bureau of Criminal Apprehension Predatory Offender Unit (BCA POR) at 651-603-6748 or at 1-888-234-1248 or at www.dps.state.mn.us/bca or refer to the Predatory Offender Registration Manual (POR Manual) for detailed information.

When an offender arrives at your agency to register, determine if he/she is required to register (review list of registerable offenses in the POR Manual) and in what state the offense was committed.

If the offender is required to register, contact the BCA POR to clarify if the offender is registered and if a DNA sample has been submitted.

- If the offender is already registered, complete a Change of Information Form (included in the POR Manual)
- If the offender is not registered complete a Predatory Offender Registration Form (included in the POR Manual)
- If the offender is from another state, contact the state (information for each state is listed in the POR Manual) and request a copy of his/her original registration form, criminal complaint, and sentencing documents

It is recommended the agency verify the address of offenders living in their community.

- If the offender is not living at the residence, contact the BCA POR to determine if a Change of Information Form was submitted. If it was not, the offender may be charged with failure to notify authorities of a change in residence.
- Contact the BCA POR to request a Prosecution Packet. Submit the packet to the county attorney's office to file a formal charge.

Note: It must be verified that the offender is no longer residing at his/her last address prior to submitting the Prosecution Packet for charging. Depending on the county attorney, formal statements may be needed from friends, co-workers, neighbors, caretakers, etc.

