

FRIDLEY POLICE

# GENERAL ORDER

SUBJECT: <b>Predatory Offender Registration and Community Notification</b>	DATE OF ISSUE	NUMBER:
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## I. PURPOSE

To provide guidelines for Predatory Offender Registration and Community Notification as may be required.

## II. POLICY

It is the policy of the Fridley Police Department to protect the public by disclosing information on predatory offenders residing in our community. The extent of the information disclosed and to whom is at the discretion of the Police Department 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.

## III. DEFINITION

Three possible risk levels can be assigned to an offender. They are:

### Level 1

Low risk of re-offending

### Level 2

Moderate risk of re-offending

### Level 3

High risk of re-offending

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.

## IV. REFERENCES

Minnesota Statutes § 243.166

Registration of Predatory Offenders

Minnesota Statutes § 243.167	Registration Under the Predatory Offender Registration Law for Other Offenses.
Minnesota Statutes § 244.10	Sentencing Hearing; Deviation from guidelines.
Minnesota Statutes § 244.052	Predatory Offender; Notice.
Minnesota Statutes § 244.053	Notice of Release of Certain Offenders.
Minnesota Statutes Chapter 13	Data Privacy.

#### **IV. PROCEDURE**

##### **A. Community Notification**

For guidance regarding community notification or risk level assigned to an offender, contact the Predatory Offender Unit of the Department of Corrections (DOC) at 651.793.7070 or at [notification.doc@state.mn.us](mailto:notification.doc@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**

###### **1. Level 1**

The purpose is to disclose information to raise awareness.

###### **a. Mandatory**

Victims who have requested disclosure.

###### **b. Discretionary**

Witnesses or victims, other law enforcement agencies.

###### **2. Level 2**

The objective is to disclose information to safeguard facilities and protect the individuals within those facilities.

###### **a. Mandatory**

All persons and entities included in Level 1 disclosure.

b. 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.

1) Consider using the following to assist with discretionary disclosure:

- i) the offender's prior history
- ii) offense characteristics
- iii) employment
- iv) recreational, social and religious interests
- v) characteristics of likely victim

3. 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.

a. 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.

b. 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.

- 1) How the public is informed is at the discretion of the Police Department. 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 guidance concerning registration, contact the Bureau of Criminal

Apprehension Predatory Offender Unit (BCA POR) at 651.793.7070 or 1.888.234.1248 or at [www.dps.state.mn.us/bca](http://www.dps.state.mn.us/bca) or refer to the Predatory Offender Registration Manual (POR Manual) for detailed information.

1. When an offender arrives at the Police Department 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.
2. 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.
  - a. If the offender is already registered, complete a Change of Information Form included in the POR Manual.
  - b. If the offender is not registered, complete a Predatory Offender Registration Form included in the POR Manual.
  - c. 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.
3. The Police Department will verify the address of offenders living in their community no less than twice per calendar year.
  - a. If the offender is not living at the residence, contact the BCA POR to determine if a Change of Information Form was submitted.
    - 1) If it was not, the offender may be charged with failure to notify authorities of a change in residence.
    - 2) Contact the BCA POR to request a Prosecution Packet. Submit the packet to the county attorney's office to file a formal charge.
    - 3) 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.