

MINNESOTA DEPARTMENT OF PUBLIC SAFETY BUREAU OF CRIMINAL APPREHENSION

PREDATORY OFFENDER REGISTRY REGISTRATION AND VERIFICATION CHANGES

Recommendation

The Predatory Offender Registry is Minnesota's central database for information on predatory offenders. The Bureau of Criminal Apprehension (BCA) is proposing two policy changes to modify the registration and verification process for individuals who are required to register.

- Expand the options allowed for verifying an offender no longer lives in Minnesota.
- Allow others to submit registration materials in circumstances where the registrant is without the capability or capacity to submit it themselves.

Specifics of the proposed changes

Under Minnesota Statute 243.166, the BCA oversees the predatory offender registration processes and is responsible for maintaining the most up-to-date information on individual registrants and BCA compliance with statutory requirements. Both of these proposed changes would increase compliance with Minnesota's registration process, decrease the number of individuals on the state's public Non-Compliant Predatory Offender website, and improve overall data accuracy.

1. Allow additional options for the BCA to verify that a registrant no longer lives in Minnesota. Currently the BCA must mail a verification letter to the offender and the offender must respond with their new address or residence. The BCA proposes allowing more options for verifying an offender's new address such as:
 - Confirming an offender's updated registration on another state's public website.
 - Confirming an offender's new address with local law enforcement.
 - Confirming an offender's residence through another state's incarceration, probation, public health or motor vehicle records.
2. Authorize guardians, conservators or an individual with power-of-attorney to complete registration or verification documents on behalf of individuals who do not have the capacity or capability of completing independently. This could include individuals who are incompetent, disabled, incarcerated, civilly-committed, etc.

Challenges created by the current process

Minn. Stat. 243.166, Subd. 1b and Minn. Stat. 243.167 describe offenses, adjudications and prior criminal histories that require registration. Registration periods can be 10 years to life, depending on the registrant's criminal history and compliance. To remain in compliance, registrants must verify data provided during registration at least annually, with updates expected if any change occurs.

Per Minn. Stat. 243.166, the verification process and registrant response must occur via mail. Verification must also take place at least once following an offender's move to another state. When the BCA does not receive a response back from the offender, it can lead to non-compliance and inaccurate data in a critical BCA system.

Similarly, when registrants do not submit forms because they do not have the capability or capacity to do so, it can lead to non-compliance and inaccurate data in the system.

Allowing alternate verification methods and a proxy to submit forms for registrants without the capability or capacity to do so would help achieve compliance and ensure law enforcement and others have access to the most accurate data for public safety purposes.

