

House Research Act Summary

CHAPTER: 34

SESSION: 2013 Regular Session

TOPIC: Crime victim rights and programs

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Overview

This act amends various crime victim provisions. It classifies as private data identifying information regarding a victim or other person requesting notification regarding a defendant's release from custody. It expands protections for crime victims against employer retaliation. Finally, it updates terminology and creates a working group to study restitution.

Section

- 1** **Release of arrested, detained or confined person; automated notification service.**
Classifies the following as private data on individuals—all identifying information regarding a person requesting notification of change in custody status of an arrested, detained, or confined person from the Department of Corrections (DOC) or other custodial authority that is made through an automated electronic notification system, including the fact that the notice was requested and provided.
- 2** **Crime victim.** Cross references data provisions in sections 8 and 10.
- 3, 5, 6, 7, 9** **Stalking.** Replace the term “harassment” with “stalking” to reflect changes made in 2010. (Laws 2010, ch. 299, made changes to the law to distinguish *civil harassment* orders from *criminal stalking*.)
- 4** **Definition.** Adds the crime of stalking to the definition of “violent crime” under section 611A.036 which prohibits employer retaliation when an employee takes time off from work to attend criminal proceedings. This protection extends to a victim's spouse and immediate family members in a case involving a violent crime.

Section

- 8 , 10** **Notice; release of arrested.** Updates obsolete references to the DOC and replaces them with the Office of Justice Programs. Classifies as private data on individuals all identifying information regarding a victim, including, but not limited to, the notice provided by a custodial authority regarding an arrested person's release. (These sections amend statutes relating to release of defendants in criminal cases involving domestic abuse and crimes of violence.)
- 11** **Working group; report.** Directs DPS to convene a working group to study how restitution is currently being requested, ordered, and collected in Minnesota. Directs the state court administrator's office to provide summary data on restitution to the group. Outlines duties and provides that a report to the legislature is due by January 2015.