

Subject Public Safety Agency Bill

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Overview

This bill contains the Department of Public Safety's policy bill. The bill proposes changes to the predatory offender statute, emergency communication statutes, and the vehicle inspection process for wheelchair restraints.

Article 1: Predatory Offender Registration

Section	Description
1	<p>Filing photograph or image.</p> <p>Authorizes the use of an offender's driver's license photograph to locate a non-compliant predatory offender.</p>
2	<p>Definitions.</p> <p>Defines "corrections agent" and re-defines "law enforcement authority" for purposes of the predatory offender registration statute.</p>
3	<p>Registration required.</p> <p>Re-formats the list of offenses in the predatory offender statute and adds offenses committed in another country when the other country's laws have sufficient safeguards for fundamental fairness and due process to the list of registrable offenses.</p>
4	<p>Notice.</p> <p>Provides the correct name for a court form and directs that local law enforcement with jurisdiction over an offender provide notice of the registration requirements to the offender, if the offender does not have an assigned corrections agent.</p>
5	<p>Contents of registration.</p> <ul style="list-style-type: none">Requires collection of a DNA sample as part of registration. Establishes the protocol that existing registrants who do not already have a DNA sample on file will comply with the new DNA requirement.Expands the amount of time an offender has to return verification forms, but the time begins to run from the date the BCA mails the verification form.

Section	Description
	<ul style="list-style-type: none">▪ Authorizes a corrections agent or law enforcement authority to determine if an individual is in compliance with the registration requirements at any time and at any frequency chosen by the agent or authority.▪ Requires registrants to provide fingerprints to the probation agency or law enforcement authority within one year of the effective date of the legislation.▪ Directs the BCA to monitor predatory offender compliance by individuals discharged from commitment as a sexually dangerous person or a sexually psychopathic personality and subject to community notification.
6	<p>Information required to be provided.</p> <p>Expands the items that offenders must report to include expiration date of license plate tabs and telephone numbers (home, work, school, cell).</p>
7	<p>Notices in writing.</p> <p>Defines a signature to include ink, electronic means established by the BCA, or biometrics established by the BCA.</p>
8	<p>Travel.</p> <p>Requires offenders traveling outside of the United States to notify their agent or local law enforcement of their travel dates, locations, flight information, purpose of travel, visa information, and other itinerary information requested by the agent or local law enforcement. The information must be provided 21 days in advance of travel and forwarded to the BCA. Establishes guidelines if offender travel must occur sooner than 21 days or if there is an emergency. The BCA is required to share this information per federal law with federal agencies who share the travel information with the destination country. These changes are intended to conform to the federal International Megan’s Law.</p>
9	<p>Criminal penalty.</p> <p>Modifies the criminal penalty section of the predatory offender statute. This change is in response to <i>State v. Mikulak</i>, a Minnesota Supreme Court decision which overturned a conviction for failing to register as a predatory offender because the defendant claimed he did not know about the specific registration requirement that he was convicted of violating.</p>
10	<p>Registration period.</p> <p>Establishes that failure to comply with certain requirements will subject an offender to an extended registration period (five years). Also provides that if an individual is not in compliance with his registration requirement at the end of his registration period, the offender is required to register for an additional two years.</p>

Section	Description
11	Use of data. Ensures that corrections agents share predatory offender data with child protection services as required under section 244.057. (See also section 13.)
12	Availability of information on offenders who are out of compliance with registration law. Authorizes the BCA to disclose to the public that an offender—who is over 16 years old and out of compliance for 30 days or more—is out of compliance because the offender did not comply with certain requirements.
13	Database of registered predatory offenders. Ensures that corrections agents share predatory offender data with child protection services as required under section 244.057.

Article 2: Statewide Emergency Communication

This article amends chapter 403 which governs how the statewide 911 system and the statewide land mobile radio system known as the Allied Radio Matrix for Emergency Responders (ARMER) function for public safety communications.

The article expands references from just “radio” board to encompass all of the emergency communication networks including wireless broadband and Integrated Public Alert and Warning System (IPAWS). The article also expands the membership of the Statewide Emergency Communications Board (SECB) which acts on relevant matters with the input of public safety and government officials from across Minnesota.

Article 3: Wheelchair Securement Devices

This article updates the wheelchair securement vehicle inspection procedure. The current procedure is in MN Rule 7450 and is not compliant with the ADA standards. The article adopts the ADA standards and incorporates the standards outlined in 49 CFR 38.23. The driver responsibilities currently listed in the rule are added to statute allowing the rule to be rescinded. The article also adds lifts to be included in the inspection.



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