

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2142

02/25/2014 Authored by Yarusso, Schoen, Cornish, Halverson, Dean, M., and others
The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

03/13/2014 Adoption of Report: Amended and re-referred to the Committee on Civil Law

03/20/2014 Adoption of Report: Amended and Placed on the General Register
Read Second Time

1.1 A bill for an act
1.2 relating to public safety; providing victim of domestic violence with notice
1.3 of release of offender; amending Minnesota Statutes 2012, sections 13.84,
1.4 subdivisions 5, 6; 611A.06, by adding a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2012, section 13.84, subdivision 5, is amended to read:

1.7 Subd. 5. **Disclosure.** Private or confidential court services data shall not be
1.8 disclosed except:

1.9 (a) pursuant to section 13.05;

1.10 (b) pursuant to a statute specifically authorizing disclosure of court services data;

1.11 (c) with the written permission of the source of confidential data;

1.12 (d) to the court services department, parole or probation authority or state or local
1.13 correctional agency or facility having statutorily granted supervision over the individual
1.14 subject of the data;

1.15 (e) pursuant to subdivision 6; ~~or~~

1.16 (f) pursuant to a valid court order; or

1.17 (g) pursuant to section 611A.06, subdivision 6.

1.18 Sec. 2. Minnesota Statutes 2012, section 13.84, subdivision 6, is amended to read:

1.19 Subd. 6. **Public benefit data.** (a) The responsible authority or its designee of a
1.20 parole or probation authority or correctional agency may release private or confidential
1.21 court services data related to:

1.22 (1) criminal acts to any law enforcement agency, if necessary for law enforcement
1.23 purposes; and

2.1 (2) criminal acts or delinquent acts to the victims of criminal or delinquent acts to the
2.2 extent that the data are necessary for the victim to assert the victim's legal right to restitution.

2.3 (b) A parole or probation authority, a correctional agency, or agencies that provide
2.4 correctional services under contract to a correctional agency may release to a law
2.5 enforcement agency the following data on defendants, parolees, or probationers: current
2.6 address, dates of entrance to and departure from agency programs, and dates and times of
2.7 any absences, both authorized and unauthorized, from a correctional program.

2.8 (c) The responsible authority or its designee of a juvenile correctional agency may
2.9 release private or confidential court services data to a victim of a delinquent act to the
2.10 extent the data are necessary to enable the victim to assert the victim's right to request
2.11 notice of release under section 611A.06. The data that may be released include only the
2.12 name, home address, and placement site of a juvenile who has been placed in a juvenile
2.13 correctional facility as a result of a delinquent act.

2.14 (d) Upon the victim's written or electronic request and, if the victim and offender
2.15 have been household or family members as defined in section 518B.01, subdivision 1,
2.16 paragraph (b), the commissioner of corrections or the commissioner's designee may
2.17 disclose to the victim of an offender convicted of a crime pursuant to section 609.02,
2.18 subdivision 16, notification of the city and five-digit zip code of the offender's residency
2.19 upon or after release from a Department of Corrections facility, unless:

2.20 (1) the offender is not supervised by the commissioner of corrections or the
2.21 commissioner's designee at the time of the victim's request;

2.22 (2) the commissioner of corrections or the commissioner's designee does not have
2.23 the city or zip code; or

2.24 (3) the commissioner of corrections or the commissioner's designee reasonably
2.25 believes that disclosure of the city or zip code of the offender's residency creates a risk
2.26 to the victim, offender, or public safety.

2.27 Sec. 3. Minnesota Statutes 2012, section 611A.06, is amended by adding a subdivision
2.28 to read:

2.29 Subd. 6. **Offender location.** (a) Upon the victim's written or electronic request
2.30 and if the victim and offender have been household or family members as defined in
2.31 section 518B.01, subdivision 2, paragraph (b), the commissioner of corrections or the
2.32 commissioner's designee shall disclose to the victim of an offender convicted of a crime
2.33 pursuant to section 609.02, subdivision 16, notification of the city and five-digit zip code
2.34 of the offender's residency upon release from a Department of Corrections facility, unless:

3.1 (1) the offender is not supervised by the commissioner of corrections or the
3.2 commissioner's designee at the time of the victim request;

3.3 (2) the commissioner of corrections or the commissioner's designee does not have
3.4 the city or zip code; or

3.5 (3) the commissioner of corrections or the commissioner's designee reasonably
3.6 believes that disclosure of the city or zip code of the offender's residency creates a risk
3.7 to the victim, offender, or public safety.

3.8 (b) All identifying information regarding the victim including, but not limited to, the
3.9 notification provided by the commissioner of corrections or the commissioner's designee
3.10 is classified as private data on individuals as defined in section 13.02, subdivision 12, and
3.11 is accessible only to the victim.

3.12 **EFFECTIVE DATE.** This section is effective January 15, 2015.