

2.1 (2) if the offender is assigned to risk level II, the agency also may disclose the
2.2 information to agencies and groups that the offender is likely to encounter for the purpose
2.3 of securing those institutions and protecting individuals in their care while they are on or
2.4 near the premises of the institution. These agencies and groups include the staff members
2.5 of public and private educational institutions, day care establishments, and establishments
2.6 and organizations that primarily serve individuals likely to be victimized by the offender.
2.7 The agency also may disclose the information to individuals the agency believes are likely
2.8 to be victimized by the offender. The agency's belief shall be based on the offender's
2.9 pattern of offending or victim preference as documented in the information provided by
2.10 the department of corrections or human services;

2.11 (3) if the offender is assigned to risk level III, the agency shall disclose the
2.12 information to the persons and entities described in clauses (1) and (2) and to other
2.13 members of the community whom the offender is likely to encounter, unless the law
2.14 enforcement agency determines that public safety would be compromised by the disclosure
2.15 or that a more limited disclosure is necessary to protect the identity of the victim.

2.16 Except as provided in section 253B.185, subdivision 10a, paragraph (a),
2.17 notwithstanding the assignment of a predatory offender to risk level II or III, a law
2.18 enforcement agency may not make the disclosures permitted or required by clause (2) or
2.19 (3), if: the offender is placed or resides in a residential facility. However, if an offender is
2.20 placed or resides in a residential facility, the offender and the head of the facility shall
2.21 designate the offender's likely residence upon release from the facility and the head of
2.22 the facility shall notify the commissioner of corrections or the commissioner of human
2.23 services of the offender's likely residence at least 14 days before the offender's scheduled
2.24 release date. The commissioner shall give this information to the law enforcement agency
2.25 having jurisdiction over the offender's likely residence. The head of the residential facility
2.26 also shall notify the commissioner of corrections or human services within 48 hours
2.27 after finalizing the offender's approved relocation plan to a permanent residence. Within
2.28 five days after receiving this notification, the appropriate commissioner shall give to
2.29 the appropriate law enforcement agency all relevant information the commissioner has
2.30 concerning the offender, including information on the risk factors in the offender's history
2.31 and the risk level to which the offender was assigned. After receiving this information,
2.32 the law enforcement agency shall make the disclosures permitted or required by clause
2.33 (2) or (3), as appropriate.

2.34 (c) As used in paragraph (b), clauses (2) and (3), "likely to encounter" means that:

2.35 (1) the organizations or community members are in a location or in close proximity
2.36 to a location where the offender lives or is employed, or which the offender visits or

3.1 is likely to visit on a regular basis, other than the location of the offender's outpatient
3.2 treatment program; and

3.3 (2) the types of interaction which ordinarily occur at that location and other
3.4 circumstances indicate that contact with the offender is reasonably certain.

3.5 (d) A law enforcement agency or official who discloses information under this
3.6 subdivision shall make a good faith effort to make the notification within 14 days of receipt
3.7 of a confirmed address from the Department of Corrections indicating that the offender
3.8 will be, or has been, released from confinement, or accepted for supervision, or has moved
3.9 to a new address and will reside at the address indicated. If a change occurs in the release
3.10 plan, this notification provision does not require an extension of the release date.

3.11 (e) A law enforcement agency or official who discloses information under this
3.12 subdivision shall not disclose the identity or any identifying characteristics of the victims
3.13 of or witnesses to the offender's offenses.

3.14 (f) A law enforcement agency shall continue to disclose information on an offender
3.15 as required by this subdivision for as long as the offender is required to register under
3.16 section 243.166. This requirement on a law enforcement agency to continue to disclose
3.17 information also applies to an offender who lacks a primary address and is registering
3.18 under section 243.166, subdivision 3a.

3.19 (g) A law enforcement agency that is disclosing information on an offender assigned
3.20 to risk level III to the public under this subdivision shall inform the commissioner of
3.21 corrections what information is being disclosed and forward this information to the
3.22 commissioner within two days of the agency's determination. The commissioner shall
3.23 post this information on the Internet as required in subdivision 4b.

3.24 (h) A city council may adopt a policy that addresses when information disclosed
3.25 under this subdivision must be presented in languages in addition to English. The policy
3.26 may address when information must be presented orally, in writing, or both in additional
3.27 languages by the law enforcement agency disclosing the information. The policy may
3.28 provide for different approaches based on the prevalence of non-English languages in
3.29 different neighborhoods.

3.30 (i) An offender who is the subject of a community notification meeting held pursuant
3.31 to this section may not attend the meeting.

3.32 (j) When a school, day care facility, or other entity or program that primarily
3.33 educates or serves children receives notice under paragraph (b), clause (3), that a level III
3.34 predatory offender resides or works in the surrounding community, notice to parents must
3.35 be made as provided in this paragraph. If the predatory offender identified in the notice is
3.36 participating in programs offered by the facility that require or allow the person to interact

4.1 with children other than the person's children, the principal or head of the entity must
4.2 notify parents with children at the facility of the contents of the notice received pursuant
4.3 to this section. The immunity provisions of subdivision 7 apply to persons disclosing
4.4 information under this paragraph.

4.5 **EFFECTIVE DATE.** This section is effective the day following final enactment.

4.6 Sec. 2. Minnesota Statutes 2011 Supplement, section 253B.185, subdivision 10a,
4.7 is amended to read:

4.8 Subd. 10a. **Scope of community notification.** (a) Notification of the public and
4.9 disclosure of information under section 244.052, subdivision 4, regarding an individual
4.10 who was committed under this section or Minnesota Statutes 1992, section 526.10, is as
4.11 provided under section 244.052, subdivision 4, paragraphs (b), clause (3), and (g), and
4.12 subdivision 4b, regardless of the individual's assigned risk level. The restrictions under
4.13 section 244.052, subdivision 4, paragraph (b), clause (3), placed on disclosing information
4.14 on individuals living in residential facilities do not apply to persons committed under this
4.15 section or Minnesota Statutes 1992, section 526.10. The local law enforcement agency
4.16 may proceed with the broadest disclosure authorized under section 244.052, subdivision 4.

4.17 (b) After four years from the date of an order for provisional discharge or discharge
4.18 of civil commitment, the individual may petition the head of the treatment facility from
4.19 which the individual was provisionally discharged or discharged to have the scope of
4.20 notification and disclosure based solely upon the individual's assigned risk level under
4.21 section 244.052.

4.22 (c) If an individual's provisional discharge is revoked for any reason, the four-year
4.23 time period under paragraph (b) starts over from the date of a subsequent order for
4.24 provisional discharge or discharge except that the head of the treatment facility or
4.25 designee may, in the sole discretion of the head or designee, determine that the individual
4.26 may petition before four years have elapsed from the date of the order of the subsequent
4.27 provisional discharge or discharge and notify the individual of that determination.

4.28 (d) The head of the treatment facility shall appoint a multidisciplinary committee to
4.29 review and make a recommendation on a petition made under paragraph (b). The head
4.30 of the treatment facility or designee may grant or deny the petition. There is no review
4.31 or appeal of the decision. If a petition is denied, the individual may petition again after
4.32 two years from the date of denial.

4.33 (e) Nothing in this subdivision shall be construed to give an individual an affirmative
4.34 right to petition the head of the treatment facility earlier than four years after the date of an
4.35 order for provisional discharge or discharge.

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5.1 (f) The head of the treatment facility shall act in place of the individual's corrections
5.2 agent for the purpose of section 244.052, subdivision 3, paragraph (h), when the individual
5.3 is not assigned to a corrections agent.

5.4 **EFFECTIVE DATE.** This section is effective the day following final enactment.