

# HOUSE RESEARCH

## Bill Summary

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**Subject:** Risk level assessments for predatory offenders not sent to prison

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### Overview

This bill amends Minn. Stat. § 244.052 by requiring that a risk level assessment be administered by an end-of-probation review committee for predatory offenders who were not sent to prison. After the risk level has been assigned, public disclosure of information pertaining to the offender is required at a level commensurate with that risk level and probation and peace officers must also share other basic information with certain persons.

### Section

#### **1 Risk Assessment for predatory offenders not sent to prison; end-of-probation review committee.**

- Requires that probation agencies that supervise predatory offenders establish end-of-probation review committees to assign risk levels to predatory offenders who were not sent to prison.
- Provides a specific list of five persons who must comprise the committee as well as the terms and procedures for appointment for each.
- Allows the offender to attend and participate in the risk level assessment meeting and to submit relevant information pertaining to the offender's risk level.

## Section

- Defines each of the three levels of risk that can be assessed to an individual.
- Requires the committee to prepare a risk assessment report that identifies the offender's risk level and the reasons underlying the decision.
- Allows probation or peace officers to petition the committee for a reassessment of the risk level assigned; the petition must be accompanied by a list of facts and circumstances not considered by the committee.
- Allows an offender, who has not subsequently been convicted of any felony, gross misdemeanor, or misdemeanor offenses, and has complied with any and all other requirements applicable to the offender, to petition the committee for reassessment three years after the initial assessment and to renew the request two years after each subsequent denial; petition must include a list of facts and circumstances that demonstrate the offender no longer poses the same degree of risk to the public.

- 2 Law enforcement agency; disclosure of information to the public.** Requires the law enforcement agency in the area where the offender resides to disclose information in the risk assessment report produced by the committee in section 1 to the extent necessary to protect the public. The level of disclosure depends on the guidelines already set forth in the statute, which vary depending on the particular risk level assigned to the offender by the committee.
- 3 Administrative review.** Allows an offender to obtain administrative review of the end-of-probation review committee's risk level assessment if a level II or III is assigned.
- 4 Notice of information regarding predatory offenders.** Extends the requirements placed on probation officers and law enforcement with regard to sharing information on predatory offenders who are not sent to prison. Requires probation officers to inform (1) victims or witnesses of the offenses who request notice in writing and (2) local law enforcement, that the offender is on probation and the terms and conditions of probation. Requires local law enforcement to notify schools, day cares and other organizations that primarily serve individuals who the offender may victimize, that the offender is on probation and the terms and conditions of probation. Permits additional disclosure as the law enforcement agency deems necessary for public safety.
- 5 Appropriation.** Appropriates funds from the general fund to the commissioner of corrections to fund the additional duties of the department of corrections and local law enforcement imposed under these sections.