Overview

This bill aims to bring Minnesota's predatory offender (sex offender) registration law into compliance with federal requirements under the Jacob Wetterling Act, as amended. First, the bill requires registration of additional offenders, including offenders convicted pursuant to a court martial and nonresident persons who enter Minnesota to work or attend school. The bill also requires Minnesota residents who enter another state to work or to attend school to register in the other state.

Second, the bill increases registration requirements for individuals who are sexual predators (individuals committed under Minnesota law as persons with sexual psychopathic personalities or as sexually dangerous persons). These additional requirements include quarterly verification of the person's address and documentation of treatment history.

Third, the bill provides for restarting the ten-year registration period for individuals who are incarcerated subsequent to the time they first were required to register.

Fourth, the bill requires lifetime registration for certain recidivists, offenders who commit aggravated offenses, and sexual predators.

Fifth, the bill requires the BCA to maintain a computerized data system containing registration information and to make information in the data system available to law enforcement.

Section

1 Registration required. Requires a person to register if the person was convicted pursuant to a court martial for violating a law of the United States (including the Uniform Code of Military Justice) similar to the offenses that trigger registration requirements.

Specifies that the registration requirements apply to a person who enters Minnesota to reside, to
work, or to attend school. Defines "school" to include any public or private educational institution, including any secondary school, trade or professional institution, or institution of higher education, that the person is enrolled in on a full- or part-time basis. Defines "work" to include employment that is full- or part-time for a period of time exceeding 14 days or for an aggregate period of time exceeding 30 days during any calendar year, whether financially compensated, volunteered, or for the purpose of government or educational benefit.

Current law requires a person to register if the person has been committed as a sexual psychopathic personality or as a sexually dangerous person. This provision specifies that the registration law also applies to a person who is committed under a similar law of another state or the United States. Makes additional conforming amendments to provide for consistency in referring to violations of United States law.

2 Registration procedure. Contains specific guidance on the registration procedure for individuals who enter Minnesota to attend school or work and for Minnesota residents who work or attend school outside Minnesota. Requires an offender who comes into Minnesota to work or to attend school to register with the law enforcement agency with jurisdiction in the area where the person works or attends school. Requires the person to provide the usual information required as part of registration, as well as the address of the school or the location where the person is employed. Requires the person to comply with this requirement within five days of beginning employment or school.

Requires a Minnesota resident who works or attends school outside of Minnesota to register in the state where the person works or attends school. Requires the person's corrections agent or the law enforcement agency with jurisdiction in the area of the person's residence to notify the person of this requirement.

3 Contents of registration. Specifies additional registration information that must be provided for offenders who have been committed as sexual psychopathic personalities or as sexually dangerous persons (sexual predators). For these individuals, requires the registration information provided to the corrections agent or law enforcement authority to include the person's offense history and documentation of treatment received during the person's commitment.

Requires the BCA to verify at least four times a year the address of a person who has been committed as a sexual psychopathic personality or sexually dangerous person. Maintains the annual verification requirement for all other persons required to register under the law. Also makes technical changes.

4 Registration period. Restarts the registration period for individuals who are incarcerated after they first are required to register under the law. Specifies that these individuals must continue to register under the law until ten year have elapsed since the person was released from incarceration, or until the person's probation, supervised release, or conditional release expires, whichever occurs later.

Also requires lifetime registration for three categories of individuals:

   Recidivists. This category includes a person convicted of or adjudicated delinquent for any offense for which registration is required who has a prior conviction or adjudication for such an offense. Includes an offense of another state or a federal offense similar to the offenses for which registration is required under Minnesota law for the purpose of determining whether the person is a recidivist.
Individuals who commit aggravated offenses. Includes a person who commits a sexual act with a victim of any age through the use of force or the threat of serious violence and a person who commits a sexual act with a victim below the age of 12, regardless of whether the offense is under Minnesota law, federal law, or the law of some other state.

Sexual predators. Includes a person who is required to register following commitment as a sexual psychopathic personality or sexually dangerous person under Minnesota law or a similar law of another state or the United States.

Use of information; data base of registered predatory offenders. Requires the BCA to maintain a computerized data system on individuals required to register under this section. To the degree feasible, requires the system to include the information provided as part of the initial registration and to indicate the time period that the individual is required to register. Requires the BCA to maintain this information in a manner that makes the information readily available to law enforcement agencies. Specifies that this information is private data, but may be used for law enforcement and correctional purposes.

Effective date. Specifies that the lifetime registration change is effective July 1, 2000, and applies to individuals who commit offenses requiring lifetime registration on or after that date.