

PREDATORY OFFENDER REGISTRATION

## 1) Required Registration

An offender must register under Minnesota Statute 243.166, if the offender was charged with, or petitioned for, a felony violation of or attempt to violate any of the following crimes; and convicted of, or adjudicated delinquent for that offense or of another offense arising out of the same circumstances:

The offense the offender was charged with or convicted of is:

**First Degree Murder** - Minnesota Statute 609.185, subd. 2;

**Kidnapping, Involving a Minor** - Minnesota Statute 609.25;

**First Degree Criminal Sexual Conduct** - Minnesota Statute 609.342;

**Second Degree Criminal Sexual Conduct** - Minnesota Statute 609.343;

**Third Degree Criminal Sexual Conduct** - Minnesota Statute 609.344;

**Fourth Degree Criminal Sexual Conduct** - Minnesota Statute 609.345;

**Predatory Crime under the Patterned Sex Offender Statute** AND offender sentenced as a patterned sex offender, Minnesota Statute 609.1352;

**Predatory Crime under the Patterned Sex Offender Statute** AND the court has found the crime to be a part of a predatory pattern of behavior that had criminal sexual conduct as its goal;

**Using a Minor in a Sexual Performance** - Minnesota Statute 617.246;

**Possession of Pictorial Representations of Minors** - Minnesota Statute 17.247;

**Committed as a Sexual Psychopath or Sexually Dangerous Person**, under Minnesota Statute 253B.15 or 526.10, whether convicted of the crime or not;

**Comparable Federal offense;**

**Comparable offense in another state** within the last ten years.

## a) Registration Process

Minnesota Statute 243.166 requires an offender to register. The central repository for registration records is the Minnesota Bureau of Criminal Apprehension.

1. Sex Offenders that are on State or Federal probation, parole, or supervised release are required to register with a corrections agent as soon as one is assigned. Copies of the registration form are forwarded to the following:

- a. Bureau of Criminal Apprehension (original and one copy). The Bureau of Criminal Apprehension will forward this information to the law enforcement agency with primary jurisdiction over the location where the offender expects to reside.
    - b. Corrections Agent
    - c. Department of Corrections - Sex Offender/ Chemical Dependency Services Unit if appropriate.
    - d. Offender
  2. If offender does not currently have a Minnesota or Federal Corrections Agent because the offender is no longer under supervision, they shall register with the law enforcement agency with primary jurisdiction over the location in which they reside. Copies of the registration form as provided by the Bureau of Criminal Apprehension shall be provided within two working days as follows:
    - a. Bureau of Criminal Apprehension (original and copy), along with completed fingerprint card (as provided by the Bureau of Criminal Apprehension), and a photograph.
    - b. Agency files
    - c. Offender
- b) Change of Address Requirements

Minnesota State Statute 243.166 requires, if an offender moves, the offender must register their new address not less than five (5) days prior to moving. A change of address is defined as remaining at an address for longer than three (3) days and making an intent to take up residence there.

1. Offenders that are on State or Federal probation, parole, or supervised persons shall forward the Change of Address Form as provided by the Minnesota Bureau of Criminal Apprehension to the Bureau of Criminal Apprehension within two days. Copies of the registration form are forwarded to the following:
  - a. Bureau of Criminal Apprehension, (original and one copy). The Bureau of Criminal Apprehension shall forward this information to the law enforcement agency with primary jurisdiction over the location where the offender expects to live.

- b. Corrections Agent
  - c. Department of Corrections - Sex Offender/ Chemical Dependency Services if appropriate.
  - d. Offender
2. If offender does not currently have a Minnesota or Federal Corrections Agent because the offender is no longer under supervision, they shall register their address change with the law enforcement agency with primary jurisdiction over the location in which they reside. Copies of the Change of Address Form as provided by the Bureau of Criminal Apprehension shall be provided within two working days as follows:
- a. Bureau of Criminal Apprehension (original and copy).
  - b. Law Enforcement Agency with primary jurisdiction over the location in which the offender intends to reside.
  - c. Agency file
  - d. Offender

c) Offenders From Other States

- 1. When the state accepts an offender from another state under a reciprocal agreement under the interstate compact authorized by Minnesota Statute 243.16, or under any authorized interstate agreement, the acceptance is conditional on the offender agreeing to maintain a current registration under this section while the offender lives in Minnesota.
- 2. Offenders who have been convicted or adjudicated, or released from confinement in another state of a comparable offense requiring registration within the last ten years, even if they are no longer under supervision, are required to register if they have moved to Minnesota after July 1, 1995 and remain longer than thirty (30) days. They are to register with the law enforcement agency with primary jurisdiction over the location in which they live. The original and one copy of the Registration Form, along with a completed fingerprint card (as provided by the Bureau of Criminal Apprehension) and a photograph, is to be forwarded to the Bureau of Criminal Apprehension.

3. The offender will be advised of the requirements of Minnesota Statute 609.3461, subd. 3, which requires offenders under supervision from another state to make arrangements with their supervising agent to provide a biological sample for purposes of DNA testing. The cost of obtaining the biological specimen is the responsibility of the supervising agency.
4. Registration Period - An offender must comply with the registration requirements set forth by Minnesota State Statute.

d) Criminal Penalty

If an offender is required to register under this section, and the offender violates any of its provision; or intentionally provides false information to a corrections agent or law enforcement officer, the offender is guilty of a felony.

e) Data Practices

All Sex Offender Registration Data is **PRIVATE DATA** to be used for law enforcement purposes.

f) Reports

This agency will assist an offender in completing a Sex Offender Notification and Registration Form and/or Sex Offender Change of Address Notice for any offender registering with our agency. These completed forms must be promptly mailed to the Minnesota Bureau of Criminal Apprehension, Attn: POR Unit.