



PREDATORY OFFENDER REGISTRATION

Requiring registration for predatory offenders (formerly known as “sex offender registration”) helps to keep Minnesota communities safer by providing law enforcement with information to assist them in locating dangerous offenders as they investigate other crimes. See Minnesota Stat. §243.166. See also Fact Sheet on Community Notification of Predatory Offenders.

Who is required to register?

- An offender convicted of the attempted or completed felony crimes of:
 - Murder while committing first or second degree criminal sexual conduct offenses with force or violence to the victim or another person.
 - Kidnapping, Criminal Sexual Conduct or Indecent Exposure

Note: If an offender is **charged** with **committing or attempting to commit** one of the above crimes but pleads to or is found guilty of a different crime, the offender is still required to register if the crime which the offender pleads to or is found guilty of arose from the same set of circumstances as the original crime. For example, the offender is charged with kidnapping but pleads to false imprisonment. The offender still must register even though false imprisonment is not one of the offenses listed above.

Note: Juveniles are required to register but, unlike adults, are not subject to community notification. (See SVJI Fact Sheet: *Community Notification of Predatory Offenders*)

- An offender convicted of the completed felony crimes of:
 - False imprisonment of a minor (not own child).
 - Soliciting a minor to engage in prostitution or sexual conduct.
 - Using a minor in a sexual performance or pornographic work.
 - Possessing or disseminating a pornographic work involving a minor.

Note: If an offender is charged with **committing a felony violation** of one of the above crimes, but pleads guilty to or is convicted of a different crime, the offender will still be required to register if the crime which the offender pleads to or is convicted of arose from the same set of circumstances as the original crime. For example, an offender is charged with using a minor in a sexual performance but is found guilty of fifth degree criminal sexual conduct instead. The offender is required to register if the fifth degree charge arose from the same circumstances as the crime of using a minor in a sexual performance.

- An offender is also required to register if:
 - The offender was committed as a sexual psychopathic personality or a sexually dangerous person even if the offender was not convicted of an offense.
 - The offender commits a “crime against the person” after previously committing a predatory crime.

	<ul style="list-style-type: none"> ○ The offender was convicted of violating a law in another state which is similar to any of the earlier mentioned crimes (registration is required for anyone who enters Minnesota and stays for 14 days or longer). ○ The offender entered Minnesota to work or go to school and ten years have not passed since offender was incarcerated or since the date of conviction for the predatory offense, <i>whichever is later</i>. ○ As of April 16, 2010, an offender's duty to register is reactivated when the offender returns to the state after having lived outside Minnesota if the offender's registration period has not expired. <p>See Minn. Stat. §243.166 and §243.167 for other instances requiring registration.</p>
<p>What information must be registered?</p>	<ul style="list-style-type: none"> ▪ The address of the primary residence. ▪ The address of all secondary residences in Minnesota regardless of whether it is used only for recreational purposes. ▪ The address of all property owned, rented or leased in Minnesota. ▪ The address at the place of employment. ▪ The address of residences while attending school. ▪ The year, model, make, license plate number and color of all motor vehicles owned or driven regularly.
<p>Where are they required to register?</p>	<ul style="list-style-type: none"> ▪ Initially, the offender registers with their corrections agent as soon as they are assigned to the corrections agent's caseload. ▪ If the offender does not have a corrections agent because they are not placed on probation or their probation or supervised release has ended, then they must register with local law enforcement in the area of their residence. ▪ The offender may also contact the Bureau of Criminal Apprehension (BCA) to register.
<p>When are they required to register?</p>	<ul style="list-style-type: none"> ▪ The offender must complete a registration form immediately after being sentenced or committed to prison or to a treatment facility. ▪ At least five days before the offender starts living at a new primary address, even if it is in another state, the offender must register with either the corrections agent or law enforcement in the area where living before the move. ▪ If the offender is moving outside of Minnesota, and the new state also has a registration requirement; then the offender must register in both Minnesota (before the move) and the new state (after arrival). ▪ Homeless offenders must register with the law enforcement agency in the area where they will be staying within 24 hours of leaving their primary address. They must describe in detail the location where they will be staying and then report on a weekly basis to law enforcement in the area where they will be staying. They must continue to register with the BCA annually. ▪ Note that under a new law effective August 1, 2010, offenders will be prohibited from listing homeless shelters as their primary or secondary address (the law was changed because some offenders were using shelter addresses in order to avoid the weekly check-in as required for homeless offenders).
<p>How long are they required to register?</p>	<ul style="list-style-type: none"> ▪ Ten years unless the offender is subject to lifetime registration. ▪ Registration begins either on the date the offender is initially required to register with the corrections agent or if the offender is sent to prison, the date the supervised release or conditional release period ends whichever is later.

Confirmation of Address	<ul style="list-style-type: none"> ▪ Five more years may be added if the offender fails to register after moving. ▪ Ten additional years are added if the offender is incarcerated because of a violation of probation, supervised release or conditional release for the predatory offense. ▪ Additional years begin when the offender is last released from confinement or their probation, supervised release or conditional release period ends whichever is later. ▪ Lifetime registration may be appropriate in some cases. <ul style="list-style-type: none"> ▪ BCA sends out verification letters to offenders annually. An offender must sign and return the form within 10 days of receipt of the form, stating the offender's current and last address. ▪ Offenders required to register because they were committed as sexually dangerous persons or sexual psychopathic personalities must have residence verified by BCA four times a year; Level II and II offenders must be verified twice a year.
Is there a penalty for failing to register?	<ul style="list-style-type: none"> ▪ Offenders who do not follow the registration requirements may be prosecuted for the felony crime of failure to register as a predatory offender.

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