

POLICY AND PROCEDURES MANUAL

Fergus Falls Police Department

Policy Title	Policy Statement on Predatory Offender Registration and Community Notification
Policy Number	304 (Formerly 50.10)
References	Title 42 United States Code, Section 14071-14072 Minnesota State Statutes: Chapter 13, 243.166-167, 244.10 and 244.052-053. Minnesota Department of Public Safety, 2002 Predatory Offender Registration Training Manual
Effective Date	December 1, 2009
Distribution	All Personnel
Rescinds	January 1, 1997

PURPOSE

This policy is intended to insure compliance with Minnesota Statutes providing for the registration of predatory offenders and community notification relative to the release of certain offenders consistent with the legally specified rights of these same offenders.

POLICY

It is the policy of the Fergus Falls Police Department to protect the residents of Fergus Falls by disclosing information on predatory offenders residing within the city. The extent of the information that is disclosed and to who is at the discretion of the Chief of Public Safety, unless otherwise noted. The release of information, however, must relate to the level of danger posed by the offender, to the offender's pattern of offending behavior, and to the need of community members to enhance their individual and collective safety. As part of the Fergus Falls Police Department's commitment to the safety of the public, they will aggressively monitor the location and life circumstances of each registered predatory offender residing within the city to ensure that individual's compliance with the law.

DEFINITION

Three possible risk levels can be assigned to an offender. They are as follows:

- **Level 1** – Low risk of re-offending.
- **Level 2** – Moderate risk of re-offending.
- **Level 3** – High risk of re-offending

There are convicted predatory offenders residing within the city of Fergus Falls who are not assigned a risk level. This is due to their offense being adjudicated prior to predatory offender legislation being enacted, or due to the offender's conviction not resulting in incarceration with the

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Minnesota Department of Corrections. These offenders are still subject to the predatory offender registration statutes, although they are not subject to the community notification process.

PROCEDURE

I. Community Notification

Fergus Falls police officers having questions regarding community notification or about the risk level assigned to an offender should contact the Predatory Offender Unit of the Minnesota Department of Corrections by phone or through their web site. The answer to many questions may also be provided by reviewing the **2002 Predatory Offender Registration Training Manual** which is maintained among the reference library of the Fergus Falls Police Department. Personnel from the Minnesota Department of Corrections will aid the Fergus Falls Police Department when an offender subject to full community notification moves into the city.

II. Notification Process

The Fergus Falls Police Department will notify members of the Fergus Falls community following these established guidelines:

A. Level 1

The purpose is to disclose information to raise awareness of those most affected by the offender.

1. It is mandatory to notify victims who have requested disclosure.
2. The Chief of Public Safety may use discretion in notifying witnesses or victims or other law enforcement agencies

B. Level 2

The objective will be to disclose information to safeguard facilities and protect the individuals at those facilities who have historically made up the potential victim pool of the offender.

1. It is mandatory to notify all persons and entities that would have been notified of a Risk Level 1.
2. The Chief of Public Safety may use discretion in notifying groups and agencies that the offender is likely to encounter, including staff members of public and private schools, day care facilities, and organizations that would provide services to individuals likely to be victimized by the offender. In arriving at this discretionary decision, the Chief of Public Safety will consider the offender's prior history, offense characteristics, employment, recreational, social, and religious interests, and characteristics of a likely victim.

C. Level 3

The objective is to disclose information to help protect the community of Fergus Falls as a whole.

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1. As a means of notifying the public, the Fergus Falls Police Department will release information on any Level 3 Offender coming into the community to the local media and any other interested media outlets. The Fergus Falls Police Department may also utilize widespread dissemination of a "Department of Corrections Fact Sheet," and may hold a public meeting to disclose the necessary information.

III. Registration

- A. Fergus Falls police officers having questions concerning registration should contact the Minnesota Bureau of Criminal Apprehension's Predatory Offender Unit through their web site. The **2002 Predatory Offender Registration Manual** is also an excellent source of information. A copy of this manual is maintained with the Fergus Falls Police Department's reference library.

In the event an offender arrives at the Fergus Falls Police Department to register, it is recommended that officers unfamiliar with the process review the above described manual and determine the following:

1. If the offender is required to register by reviewing the list of registerable offenses detailed in the manual, and
 2. In which state was the offense committed.
- B. If the offender is required to register, contact the Minnesota Bureau of Criminal Apprehension's Predatory Offender Registration Unit to clarify if the offender is registered and if their DNA sample has been submitted.

The following may be likely action steps:

1. If the offender is already registered, complete a **Change of Information Form** included in the Predatory Offender Registration Manual.
2. If the offender is not registered, complete a **Predatory Offender Registration Form** included in the Predatory Offender Registration Manual.
3. If the offender is from another state, contact the state through the information you find listed in the **Predatory Offender Registration Manual**. Through that contact request a copy of his or her original registration form, criminal complaint and sentencing documents.

IV. Verification

The Fergus Falls Police Department will aggressively verify the addresses of all Predatory Offenders registered in this community. Officers will utilize the information contained in a three-ring binder (Fergus Falls Area Predatory Offenders) located in the Sergeant's Office of the Fergus Falls Police Department to accomplish this. Each Fergus Falls Police Department Patrol Shift Sergeant will be assigned a group of registered offenders to monitor.

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If the registered offender is not living at the registered address, contact the Minnesota Bureau of Criminal Apprehension Predatory Offender Registration Unit to determine if a Change of Information Form was submitted. If not, the Fergus Falls Police Department will seek to prosecute the offender by contacting the above named unit and requesting a Prosecution Packet, which, once completed, will be presented to the Otter Tail County Attorney's Office.