

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH SESSION

S.F. No. 2043

(SENATE AUTHORS: JENSEN, Tomassoni, Kent and Ingebrigtsen)

DATE	D-PG	OFFICIAL STATUS
02/27/2014	5888	Introduction and first reading Referred to Judiciary
04/01/2014	7327a	Comm report: To pass as amended and re-refer to Finance

1.1 A bill for an act
 1.2 relating to public safety; providing victim of domestic violence or crime of
 1.3 violence with notice of release of offender; amending Minnesota Statutes 2012,
 1.4 sections 13.84, subdivisions 5, 6; 611A.06, by adding a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2012, section 13.84, subdivision 5, is amended to read:

1.7 Subd. 5. **Disclosure.** Private or confidential court services data shall not be
 1.8 disclosed except:

1.9 (a) pursuant to section 13.05;

1.10 (b) pursuant to a statute specifically authorizing disclosure of court services data;

1.11 (c) with the written permission of the source of confidential data;

1.12 (d) to the court services department, parole or probation authority or state or local
 1.13 correctional agency or facility having statutorily granted supervision over the individual
 1.14 subject of the data;

1.15 (e) pursuant to subdivision 6; ~~or~~

1.16 (f) pursuant to a valid court order; or

1.17 (g) pursuant to section 611A.06, subdivision 6.

1.18 Sec. 2. Minnesota Statutes 2012, section 13.84, subdivision 6, is amended to read:

1.19 Subd. 6. **Public benefit data.** (a) The responsible authority or its designee of a
 1.20 parole or probation authority or correctional agency may release private or confidential
 1.21 court services data related to:

1.22 (1) criminal acts to any law enforcement agency, if necessary for law enforcement
 1.23 purposes; and

2.1 (2) criminal acts or delinquent acts to the victims of criminal or delinquent acts to the
2.2 extent that the data are necessary for the victim to assert the victim's legal right to restitution.

2.3 (b) A parole or probation authority, a correctional agency, or agencies that provide
2.4 correctional services under contract to a correctional agency may release to a law
2.5 enforcement agency the following data on defendants, parolees, or probationers: current
2.6 address, dates of entrance to and departure from agency programs, and dates and times of
2.7 any absences, both authorized and unauthorized, from a correctional program.

2.8 (c) The responsible authority or its designee of a juvenile correctional agency may
2.9 release private or confidential court services data to a victim of a delinquent act to the
2.10 extent the data are necessary to enable the victim to assert the victim's right to request
2.11 notice of release under section 611A.06. The data that may be released include only the
2.12 name, home address, and placement site of a juvenile who has been placed in a juvenile
2.13 correctional facility as a result of a delinquent act.

2.14 (d) Upon the victim's written or electronic request and, if the victim and offender have
2.15 been household or family members as defined in section 518B.01, subdivision 2, paragraph
2.16 (b), the commissioner of corrections or the commissioner's designee may disclose to the
2.17 victim of an offender convicted of a qualified domestic violence-related offense as defined
2.18 in section 609.02, subdivision 16, notification of the city and five-digit zip code of the
2.19 offender's residency upon or after release from a Department of Corrections facility, unless:

2.20 (1) the offender is not under correctional supervision at the time of the victim's
2.21 request;

2.22 (2) the commissioner or the commissioner's designee does not have the city or zip
2.23 code; or

2.24 (3) the commissioner or the commissioner's designee reasonably believes that
2.25 disclosure of the city or zip code of the offender's residency creates a risk to the victim,
2.26 offender, or public safety.

2.27 (e) Paragraph (d) applies only where the offender is serving a prison term for
2.28 a qualified domestic violence-related offense committed against the victim seeking
2.29 notification.

2.30 Sec. 3. Minnesota Statutes 2012, section 611A.06, is amended by adding a subdivision
2.31 to read:

2.32 Subd. 6. **Offender location.** (a) Upon the victim's written or electronic request
2.33 and if the victim and offender have been household or family members as defined in
2.34 section 518B.01, subdivision 2, paragraph (b), the commissioner of corrections or
2.35 the commissioner's designee shall disclose to the victim of an offender convicted of a

3.1 qualified domestic violence-related offense as defined in section 609.02, subdivision 16,
3.2 notification of the city and five-digit zip code of the offender's residency upon release from
3.3 a Department of Corrections facility, unless:

3.4 (1) the offender is not under correctional supervision at the time of the victim's
3.5 request;

3.6 (2) the commissioner or the commissioner's designee does not have the city or zip
3.7 code; or

3.8 (3) the commissioner or the commissioner's designee reasonably believes that
3.9 disclosure of the city or zip code of the offender's residency creates a risk to the victim,
3.10 offender, or public safety.

3.11 (b) All identifying information regarding the victim including, but not limited to, the
3.12 notification provided by the commissioner or the commissioner's designee is classified as
3.13 private data on individuals as defined in section 13.02, subdivision 12, and is accessible
3.14 only to the victim.

3.15 (c) This subdivision applies only where the offender is serving a prison term
3.16 for a qualified domestic violence-related offense committed against the victim seeking
3.17 notification.

3.18 Sec. 4. **EFFECTIVE DATE.**

3.19 Sections 1 to 3 are effective January 15, 2015.