

Report: Sex offenders moving to Minnesota avoid public scrutiny

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MOORHEAD, Minn. - When a sex offender convicted in Minnesota and deemed very likely to re-offend moves to a Minnesota community, police notify the public. When someone with the same background moves in from out of state, the public isn't told.

Minnesota Public Radio reports the loophole worries police officials and that one legislator who helped write Minnesota's sex offender notification law in 1996 plans to do something about it.

"I wish I had seen this flaw before," said state Sen. Wes Skoglund, DFL-Minneapolis. "But now that we know about it we're certainly going to do something about it."

After someone serves time in a Minnesota prison for a sex crime, their case is reviewed and they are assigned a risk level. The most dangerous are called "Level 3 offenders."

Those are the only people for whom police can do public notification. Hundreds of community notification meetings have been held across the state since the sex offender community notification law went into effect.

But convicted sex offenders from other states don't get the same kind of attention when they move to Minnesota, which concerns police, including Moorhead Police Department Investigative Unit Commander Bob Larson.

"What worries me is we would have a Level 3 offender from another state who is not on probation and parole. He can move into Minnesota and he's now a non-level offender," says Larson.

Someone classified as a non-level offender does not have their case reviewed to see if they should be assigned a risk level, and if an offender isn't assigned a risk level, police can't notify the public.

Police say there are cases of people considered a high-risk sex offender in another state living anonymously in Minnesota. They follow the law and register with local police, but because they don't have a risk level, there's no public notification.

"What I would advocate is if somebody is a Level 3 offender in another state, they're a Level 3 offender in Minnesota," Larson said. "I don't see Minnesota should be a haven for people who are considered high-risk offenders in another state moving in and not getting assigned a risk level."

That view is shared by Minneapolis Sex Offender Notification Coordinator John Hinchliff, who said many sex offenders seek ways to avoid public scrutiny.

"They don't want to be known out there for what they've previously done and been convicted of in the way of criminal activity involving adults or minors or the violation of young children. They kind of want that to go away," Hinchliff said.

The Department of Public Safety and The Department of Corrections are responsible for registering and monitoring sex offenders in Minnesota. Officials with those agencies said they don't know how many sex offenders relocate to the state.

Hinchliff estimated that it may be between 200 and 300 in the state.

A search of the sex offender websites maintained by other states shows it's not uncommon for offenders to move to Minnesota.

For example, Cook County, Ill., lists 18 convicted offenders with a Minneapolis address, and two more with a Duluth address. North Dakota also lists offenders who live in Minnesota.

Hinchliff can point to cases where he said other states essentially dumped convicted offenders on Minnesota. He said courts dismissed probation so the offender would be free to move to Minnesota.

Under the rules of a multistate compact, Minnesota can turn away offenders who are on probation in another state, but there's no restriction on those who are not under court supervision.

Sen. Skoglund said all sex offenders moving to Minnesota should get the same review given people who are released from a state prison.

Every state has a different way of assigning risk levels to sex offenders, but Skoglund said Minnesota needs to review that information and assign a risk.

"I don't think it's going to be that hard to translate that information, but we need somebody in the Department of Corrections who will say OK, this is Idaho, here's Idaho's system here, they have a one through four or one through 10, or however they evaluate them in Idaho; and then say in our state that person would be a Level 3, a Level 2 or a Level 1," he said.

Some state officials said reviewing more sex offender cases will require more time and money. But no one is sure just how much. That's because right now state officials aren't sure how many sex offenders have relocated to Minnesota.

Skoglund said he is researching laws in other states, looking for ways to close the loophole that may allow dangerous sex offenders to live anonymously in Minnesota.