

**MINUTES  
PUBLIC SAFETY COMMISSION MEETING  
FEBRUARY 4, 2016**

The meeting was called to order at 6:00 p.m.

Present: LeBlanc, Lee, Linn, Pozzini-Stedman, Timmers; Town Board Liaison: Prudhon; Staff Liaison: Short; Guest: Deputy Wayne Ruffcorn, School Resource Officer/Investigator, RCSO.

Absent: Brueckner and Hawkins with notice.

**APPROVAL AGENDA (Additions / Deletions):** LeBlanc moved approval of the agenda as submitted. Linn seconded. Ayes all.

**APPROVAL OF MINUTES OF JANUARY 7, 2016:** Linn moved approval of the Minutes of January 7, 2016. Timmers seconded. Ayes all.

**CONSENT AGENDA:** LeBlanc moved approval of the Consent Agenda as follows: 4A) Receive Animal Control Reports; 4B) Receive Ramsey County Sheriff's Reports; 4C) Receive Sheriff Contract Group Minutes; 4D) Receive White Bear Lake Fire Department Reports. Timmers seconded. Ayes all.

**DEPUTY WAYNE RUFFCORN: 1) PRESENTATION REGARDING PREDATORY OFFENDER REGISTRATION; 2) SEXUAL OFFENDER ORDINANCE DISCUSSION:**

The Clerk noted that the Public Safety Commission has been reviewing the City of Taylor Falls' ordinance regarding sexual offenders. He reported that the Town Attorney assisted in developing the criteria and requirements for a sexual offender ordinance for Taylors Falls. The Taylors Falls ordinance addresses how far away a sexual offender must reside from a school, day care, parks, bus stops, etc. The Clerk reported that the PSC was also interested in what information the Sheriff's Office would have.

Deputy Wayne Ruffcorn reported that he has been with the Sheriff's Office for 25 years. He serves as a School Resource Officer, and an Investigator. He reported that in the seven contract communities there are a total of 54 sexual offenders/predators. There are 12 registered sexual offenders. There are two Level 1 offenders, one is a Level 2 offender and no Level 3 offenders in the Township. The others are not assigned levels and are not dangerous. He reported that all of the sexual offenders that he treats are compliant with all requirements.

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Deputy Ruffcorn reported that the Community Notification Act requires assignment of a risk level to offenders subject to registration as a predatory offender before they are released from confinement in a state prison or treatment facility. It also requires that community notification of the offender's release. Since July 1, 1991, predatory offenders in Minnesota have been required to register their addresses with local law enforcement agencies. The law enforcement agencies forward the information to the Minnesota Bureau of Criminal Apprehension, which maintains a database that can be used by law enforcement agencies as an investigative tool. Risk levels are assigned to predatory offenders released from a state prison in Minnesota; released from a state prison in another state who come to Minnesota under supervision; released from of federal prison and intending to reside in Minnesota; released from confinement who were committed as a sexually dangerous person, sexually psychopathic personalities or mentally ill and dangerous; or upon request from local law enforcement if released from a federal prison or another state's prison (and not under supervision). As of January 1, 2013, about 8,000 of Minnesota's 17,400 registered (active) predatory offenders fall under the above categories and are assigned a risk level. There are three risk levels: Level 1- lowest public risk; Level 2- moderate public risk; and Level 3 – highest public risk. Risk levels are assigned by an End-of-Confinement Review Committee (ECRC) which is established at each Minnesota State prison or treatment facility to determine risk levels. For offenders released from federal or out-of-state prisons, and ECRC in the Minnesota Department of Corrections Central Office performs this function. The ECRC is made up of a prison warden or treatment facility head where the offender is confined, or that person's designee; a law enforcement officer; a treatment professional trained in assessing sex offenders; a caseworker experienced in supervising sex offenders; and a victim services professional.

A variety of information is considered when assigning a risk level including; 1) seriousness of the offense; 2) offender's prior offense history; 3) offender's characteristics, such as response to prior treatment efforts and history of substance abuse; 4) availability of community support to the offender; 5) whether the offender has indicated, or credible evidence in the record indicates, that the offender will reoffend if released into the community; and 6) whether the offender demonstrates a physical condition that minimizes risk of re-offense, including but not limited to advanced age or a debilitating illness or physical condition. The risk level can be changed within 14 days of assignment at level 2 or 3, if they request review from an administrative law judge. After three years from initial risk level assignment, an offender can request that an ECRC consider a level reassessment. The Department of Corrections provides information from the ECRC to law enforcement, which is responsible for notification in the community where the offender is to reside.

Information regarding release or relocation of an offender comes from law enforcement. Level 1 – victims of and witnesses to the crime, other law enforcement agencies, and anyone identified by the prosecuting attorney to receive the information. Level 2 – anyone included in the Level 1 information release. In addition, notification may be given to schools, daycare centers, and other organizations where individuals who may become

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victims of the offender are regularly found. Law enforcement may also choose to notify certain individuals that they determine to be at possible risk. The information is not to be redistributed by organizations. Level 3 – Requires a broad public notification, usually done through a public meeting. Law enforcement may also notify individuals and agencies included in Level 1 and Level 2 notifications, and may use the media and other distribution methods to get information to the public. The notification will include general area of residence, description of the offender and photo, and description of the pattern of behavior that the offender has been known to display.

Deputy Ruffcorn reviewed frequently asked questions regarding predatory offenders. He reported that the following require registration as a predatory offender: 1) criminal sexual conduct and felony level indecent exposure; 2) kidnapping and false imprisonment; 3) soliciting a minor to engage in prostitution or sexual conduct; 4) using a minor in a sexual performance; 5) possession of pictorial representations of minors. Offenders are required to register for a minimum period of 10 years or the duration of probation, which is longer. Some registrants are required to register for life. Convictions for Failure to Register violations result in 5 additional years of registration. Causes for a registrant to be non-compliant include: 1) failure to report changes in primary address, secondary addresses, employment, school or vehicles that are owned or operated; 2) failure to return Verification Forms; 3) Registrants from other states who enter Minnesota to live, work, or attend school and fail to register with the law enforcement agency with jurisdiction where they are living, working, or attending school; 4) Registrants from other states who visit Minnesota for longer than 14 days and fail to register with the law enforcement agency with jurisdiction where they will be staying.

Consequences for offenders who fail to register include: 1) each conviction for Failure to Register results in an additional 5 years being added to the subject's registration period; 2) first time convictions are subject to a prison sentence of 1 year and 1 day; 3) subsequent convictions for Failure to Register may result in a minimum of two year prison sentence; and 4) any period of incarceration will result in the 10 year registration period starting over upon release from incarceration.

Deputy Ruffcorn reported that approximately 75% of the offenders registered in Minnesota have never been assigned a risk level. Following are some of the reasons why: 1) juvenile registrants do not receive risk levels; 2) registrants sentenced to probation do not receive risk levels; 3) registrants who were released from a Minnesota prison prior to January 1, 1997 did not receive risk levels; 4) prior to July 1, 2005, risk levels could not be assigned to registrants from other states unless they were released to Minnesota directly from a prison in another state.

There are no provisions in MS 243.166, Minnesota's registration law, which prohibit registered offenders from having contact with minors. Restricting contact with minors is frequently a condition of the registrant's probation or parole; however, if the person is no longer on probation or parole, those restrictions are no longer effective. Inquiries regarding a registrant's conditions of release should be directed to the registrant's probation or parole officer. There are also no provisions in MS 243.166, Minnesota's

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registration law, which prohibit registered offenders from living in the vicinity of a school or daycare. Restricting a registrant's residency can be a condition of the registrant's probation or parole; however if the person is no longer on probation or parole, those restrictions are no longer effective. Inquiries regarding a registrant's residency restrictions should be directed to the registrant's probation or parole officer. While there is not a State law regarding residency restrictions for registered offenders, some cities have passed local ordinances. Citizens with questions regarding their local ordinances should contact their local City Hall or Police Department. Deputy Ruffcorn stated that city or town ordinances can do a better job than legislation. He noted that ordinances protect the community.

LeBlanc asked what townhome associations can do to regulate predatory offenders in their area neighborhoods. Deputy Ruffcorn stated that they could put something in their covenants. He reported that an ordinance would supersede town home association covenants.

The Clerk reported that the PSC wanted to see a map of the Township showing the locations of Town parks, day care, church and school. He provided a map showing these areas. There are two schools in the Township, two churches, and 26 parks.

Deputy Ruffcorn reported that there are restrictions regarding being near schools, etc. They can be arrested if they violate the restriction.

It was the consensus that the PSC compile a list of questions and fine tune the Taylors Falls' ordinance based on their research and determine what part of their ordinance would be applicable to the Township. They would view it from the enforcement side and the offender's side. The Clerk will ask a probation officer to attend a future PSC meeting to provide insight. The matter will remain on agendas for future meetings.

**COMMISSIONER'S REPORT – TOWN BOARD ACTION: Animal Impoundment Fee:**

The Town Board passed a resolution establishing the amount of the animal impoundment fee at a flat rate of \$42.00 per occurrence. Staff researched what other communities do and the Town Board was comfortable with \$42.00 per occurrence. **2016 Tobacco Licenses:** The Board approved, based on staff review and recommendation, the 2016 Tobacco Licenses for the following businesses for a period of January 1, 2016 through December 31, 2016: 1) Holiday StationStores, Inc., 5970 Highway 61; 2) White Bear Township Holiday, 1150 County Road J; 3) Cub Foods, 1059 Meadowlands Drive; 4) Bald Eagle Investments, 5960 Highway 61.

**GOALS OF COMMISSION – DISCUSS:** This matter was carried over to a future PSC meeting. A question was asked if the PSC could accumulate information and put on the Town's webpage and News and Views regarding the various kinds of fraud that Town residents should be aware of. It was noted that email or phone calls claiming to be from the IRS is not official notification.

**MISSION & VISION STATEMENTS – REVIEW:** This matter was carried over to a future PSC meeting.

**7:00 BEN BOROWSKI TO ATTEND – BOW FISHING REQUEST:** The Clerk reported that Ken Borowski was not able to attend the meeting tonight. The email from Nik Anderson and Ben Borowski dated January 8, 2016, relative to bow fishing was reviewed. The two gentlemen are in the process of starting a bow fishing guide service in the Washington/Ramsey County area. They noticed that Town ordinance states that bows are not allowed to be uncased or discharged in Town limits. The object of bow fishing is to shoot rough fish (invasive species) with a tethered arrow and reel them into the boat. The bows have reels attached to them which contain 200 pound test braided line to prevent the arrow from becoming detached from the bow. There is generally less than 20 feet of line on a bow fishing bow reel thus not allowing the arrow to travel more than 20 feet. Once the fish has been hit with the arrow, the fish is reeled into the boat where it is placed in a barrel. These fish are either eaten or disposed of properly. The Clerk reported that the DNR regulates fishing but defers to the Township regarding weapons. It was noted that with the lights on the boat it may cause some concerns for people living around the lake. The Clerk reported that Commander St. Germain, Ramsey County Sheriff's Office was contacted about the request. His response was that it seems clear that the Town would have to change the ordinance to accommodate bow fishing. A question was asked if bow fishing on the lake were to be allowed, would that also include creeks. It was the consensus that the Ben Borowski be asked to bring one of the bows to a PSC meeting.

**OTTER LAKE ELEMENTARY SCHOOL CARNIVAL – DISCUSSION:** The correspondence from Rich Brueckner to Deputy Greg LeMay, Crime Prevention Unit, RC Sheriff's Office was reviewed. Brueckner asked for coordination with the Sheriff's Office for scheduling the Community Service Officer Unit for the ID kit presentation and arranging for the K-9 team, and DARE Officer participation. The Carnival has been confirmed for Friday, April 15, 2016.

**LIAISON REPORTS: Fire Department:** Ron Hawkins provided the Clerk with information on the Citizens Fire Academy.

**NEXT MEETING DATE / ITEMS FOR DISCUSSION:** The next meeting is scheduled for Thursday, March 3, 2016. Items for discussion will include: 1) OLES Carnival; 2) Predatory Offender Ordinance; 3) Bow fishing.

**OPEN TIME:** No one appeared for the open portion of the meeting.

The meeting adjourned at 7:55 p.m.

Respectfully Submitted,

Joan J. Clemens  
Recording Secretary