

## Did school safety alert cross legal line?

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By [JOE LAFURGEY](#)



The Morris family

**PLAINFIELD TOWNSHIP** -- [A letter describing a sexual predator](#) and pedophile living somewhere in Plainfield Township was sent home to parents earlier this week.

The letter sent by the superintendent of the Northview Public Schools District has made the daily walk to school all the more important for the Morris family. Jim Morris said they have dealt with past sexual predators on their block.



Norbert Kugele

"Everyone knew about it pretty much. So you just kept a close eye on your kids," said Morris, as he and his wife, Robin, walked with their 4 ½ -year-old daughter, Jessica, to school.

24 Hour News 8 checked the [state Sex Offender Registry](#) for the Plainfield Township 49525 zip code. It contained the names of 46 offenders living in the area.

But the warning sent out in the Northview district involved a man never convicted of a sex crime.

So why not send out warnings about those on the state's list?

"Those are available on the Internet," Morris said.

Northview Schools Superintendent [Michael Stearns told 24 Hour News 8 Wednesday](#) he became concerned after he received information on a man named "Joe," described as a 19 year old living in the school district, from a mental health worker who had access to his file.

Stearns said his commitment to keep students safe led to the warning.

But did that commitment cross a legal line?

Attorney Norbert Kugele, with the law firm Warner Norcross & Judd LLP specializes in medical privacy laws. He said both state and federal laws, like the Health Insurance Portability and Accountability Act, better known as HIPAA, protect a patient's medical records.

"And it includes records from mental health institutions," Kugele said.

Kugele said there are also exceptions to the laws.

"Under both HIPAA and the state law, there are exceptions for disclosure to the appropriate authorities where there's a concern about harm to another individual," he said.

Whether or not the document was allowed to be distributed, parent Jim Morris said he was glad it was sent out.

"I'm kinda surprised they sent it out...happy they sent it out," he said.

*Previous 24 Hour News 8 story:* [Warning issued about potential sexual predator](#)

**On the Net:** [Medical Privacy Laws](#)

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