

CLIENT TIER LEVEL SYSTEM

Minnesota Sex Offender Program

Issue Date: 5/6/25 Effective Date: 6/3/25 Policy Number: 215-5014

POLICY: The Minnesota Sex Offender Program (MSOP) provides written guidelines to increase access and programming opportunities for clients who demonstrate prosocial behavior and promote a therapeutic community conducive for change.

AUTHORITY: Minn. Stat. § 246.014, subd. (d); [Effective through June 30, 2025]
Minn. Stat. § 246C.07, Subd. 3(a)(2) [Effective on July 1, 2025]

APPLICABILITY: MSOP program-wide, excluding Community Preparation Services (CPS).

PURPOSE: To establish procedures to support and reinforce positive prosocial behaviors by offering identified opportunities and help clients utilize skills that aid in successful reintegration.

DEFINITIONS:

Client individual plans – see MSOP Division Policy 410-5075, “Communication Log.”

Identification (ID) badge – see MSOP Division Policy 415-5062, “Identification Badges.”

Tier level - a set of pre-determined opportunities.

Treatment team - see MSOP Division Policy 215-5005, “Treatment Overview.”

PROCEDURES:

- A. The unit group supervisor, in consultation with the unit treatment team, is responsible for assigning a tier level to each client based on the client’s compliance with facility rules and demonstration of positive and prosocial behavior in their community.
 1. Clients are permitted to participate in opportunities and movement for their assigned tier level as outlined in the Tier Level Access and Movement Guidelines (215-5014a).
 - a) Clients in tier level 2 who want to attend programming outside their individual schedule must submit a Client Request (420-5099a) to the unit group supervisor seven days prior to the scheduled event.
 - b) The unit group supervisor meets with the client about the intent of the request and discusses the client’s goals for attending the event.
 - c) The unit group supervisor consults with the residential program manager for consideration.
 - d) If supported, the unit group supervisor solicits a client in tier level 4 or 5 to sponsor the client in tier level 2. The sponsoring client escorts the client to/from the event as well as remains with the client at all times during the event.
 - e) The group supervisor may limit the time the client in tier level 2 may attend the event and/or limit participation in some activities at the event.

2. MSOP assigns clients to tier level 1 upon a new admission or transfer in. (See MSOP Division Policy 210-5100, "Admission to the MSOP.")
 - a) Clients remain in tier level 1 for the first ten days after admission to MSOP or returning from the Minnesota Department of Corrections (DOC).
 - b) After ten days, the client's unit treatment team assesses the client's behavior and determines client tier assignment, not to exceed tier level 3.
 - c) Clients who transfer from the Forensic Nursing Home (FNH) maintain the tier level assigned at time of departure from MSOP.
 - d) Clients returning to the secured perimeter from CPS or upon revocation of provisional discharge have their tier status determined by their unit treatment team in consultation with the CPS treatment team and/or reintegration agent.
3. Clients must follow restrictions assigned through the behavioral expectations process (see MSOP Division Policy 420-5010, "Client Behavioral Expectations") or expectations assigned via client individual plans (see MSOP Division Policy 215-5015, "Individualized Program Plan").

B. Tier Level Increase:

1. Clients request a tier level increase by submitting a Tier Level Increase Application (215-5014b-3800a) to their unit group supervisor:
 - a) Tier level 2 or 3 when they meet the Tier Level Change Guidelines (215-5014c).
 - b) Tier level 4 or 5 when they meet the Tier Level Change Guidelines (215-5014c) and have two weeks before the end of the quarter.
 - c) Clients must ensure the submitted information is accurate and applicable questions are answered. Staff deny and return inaccurate or incomplete applications to the client.
2. The client's unit group supervisor, in consultation with the unit treatment team, reviews the Tier Level Increase Application (215-5014b-3800a) and determines if the client's behaviors and documentation support a tier level increase. The unit group supervisor:
 - a) assigns staff to complete the staff portion of the Tier Level Increase Application (215-5014b-3800a);
 - b) reviews applications for tier level progression; and
 - (1) notifies the client of the application decision for advancement to tier levels 2 or 3 within ten business days;
 - (2) presents the unit treatment team's recommendation for tier level 4 or 5 advancement to the residential program manager/designee and associate clinical director/designee for final determination; and
 - (3) notifies the client of the application decision within ten business days after the start of the next quarter;
 - c) completes the Tier Level Request Notification (215-5014d-3800b);
 - d) updates the client's tier level decision in Phoenix, including rationale;

- e) updates Viapath Technologies if the client's tier level is increased; and
- f) updates the client's ID badge (if applicable).

3. Clients in Alternative Program – clients in tier level 1 who have met criteria for tier level 2, but have not applied:

- a) the client's unit group supervisor, in consultation with the unit treatment team, reviews the client's tier level status and determines if the client's behaviors and documentation support a tier level increase;
- b) the unit team consults on appropriateness of client remaining in tier 1;
- c) the designated security counselor meets with the client to determine the client's reason(s) for not applying, and offer feedback, documenting the meeting via a Communication Log (410-5075a) entry; and
- d) the unit group supervisor in consultation with the treatment team may determine an increase to tier level 2 is appropriate.

4. Clients in Tier Level 4 and Tier Level 5

- a) The unit group supervisor/designee meets with clients in tier level 4 and tier level-5 monthly to ensure the clients are maintaining the tier level expectations, specifically maintaining prosocial participation within the community. The unit group supervisor/designee completes a Communication Log (410-5075) entry.
- b) The unit group supervisor/designee reviews clients in tier level 4 and tier level 5 quarterly to ensure the clients are maintaining the tier level expectations. Staff follow section C below when clients in tier level 4 and tier level 5 are not maintaining expectations.

C. Clients Demonstrating Behaviors Not Consistent with Assigned Tier Level

- 1. A member of the unit treatment team may schedule a meeting with a client to discuss the client's behaviors and /or issue the client a Tier Level Review Notification (215-5014g-3800e). The unit group supervisor updates the client's tier history in Phoenix, including rationale.
- 2. A client's tier level may be reduced without the client receiving a Tier Level Review Notification (215-5014g-3800e).
- 3. Any significant event involving an administrative review as outlined in section D below may result in a tier reduction.

D. Tier Level Decrease: the unit group supervisor, in consultation with the unit treatment team, may decrease a client's tier level if the client no longer demonstrates the pattern of behaviors expected for the client's assigned tier level.

- 1. The unit group supervisor presents all tier level decisions made by the unit teams to the residential program manager/designee and associate clinical director for final determination.
- 2. When a change in tier level decision is implemented, the unit group supervisor:
 - a) completes the Tier Level Request Notification (215-5014d-3800b);

- b) meets with the client to review the status of the unit treatment team's decision;
- c) updates the client's tier level decision in Phoenix, including rationale;
- d) updates Viapath Technologies if the client's tier level is decreased; and
- e) updates the client's ID badge.

E. Tier Level Decision Appeals

- 1. Within five business days of receiving a Tier Level Review Notification (215-5014g-3800e) indicating a tier level reduction or denial of a tier increase, a client may submit a Client Request (420-5099a) to the assistant facility director/designee. The assistant facility director/designee completes a review within ten business days of receiving the Client Request (420-5099a).
- 2. The client's tier level remains at the reduced tier until the appeal process is completed.
- 3. The assistant facility director/designee bases the decision on information obtained from the Client Request (420-5099a) and Phoenix documentation.
- 4. The unit group supervisor notifies the client of the decision and:
 - a) updates client tier level status in Phoenix as necessary, including rationale; and
 - b) issues a new ID badge as necessary.

F. Clients residing on Moose Lake Units Omega 1 and 2 have their tier level status placed at tier level 1.

- 1. When a client leaves Omega 1 or 2, the client may submit a Tier Level Increase Application (215-5014b-3800a) when the client meets criteria for tier advancement, unless the program manager approves the client to return to assigned living unit at the same tier level.
- 2. Staff process Tier Level Increase Application (215-5014b-3800a) as outlined in section B above.

G. Clients wear client ID badge as outlined in MSOP Division Policy 415-5062, "Identification Badges." The ID badge color indicates the client's current tier level:

- a) White – tier level 1
- b) Orange – tier level 2
- c) Yellow – tier level 3
- d) Purple – tier level 4
- e) Silver/gray – tier level 5.

H. Each quarter, the unit group supervisor/designee audits the client tier level with Phoenix data entry and client ID badge ensuring accurate tier levels are assigned utilizing the Client Tier Level, Phase Level, & Movement/Privileges Report (Phoenix). The unit group supervisor completes a Level 1 Incident Report (410-5300a) (Phoenix) documenting the outcome.

REVIEW: Biennially

REFERENCES: MSOP Division Policy 410-5075, "Communication Log"
MSOP Division Policy 215-5005, "Treatment Overview"
MSOP Division Policy 210-5100, "Admission to the MSOP"
MSOP Division Policy 420-5010, "Client Behavioral Expectations"

MSOP Division Policy 415-5062, "Identification Badges"
MSOP Division Policy 215-5015, "Individualized Program Plan"
MSOP Division Policy 215-5013, "Clinical Services Provision of Care"
MSOP Division Policy 410-5300, "Incident Reports"

ATTACHMENTS: Tier Level Access and Movement Guidelines (215-5014a)
Tier Level Increase Application (215-5014b-3800a)
Tier Level Change Guidelines (215-5014c)
Tier Level Request Notification (215-5014d-3800b)
Tier Level Review Notification (215-5014g-3800e)

Client Request (420-5099a)
Incident Report (410-5300a) (Phoenix)
Client Tier Level, Phase Level, & Movement/Privileges Report (Phoenix)
Communication Log (410-5075a)

SUPERSESSION: MSOP Division Policy 215-5014, "Client Tier Level System," 4/2/24.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

/s/
Nancy A. Johnston, Executive Director
Minnesota Sex Offender Program