

MINNESOTA DEPARTMENT OF CORRECTIONS
SEX OFFENDER MANAGEMENT FINAL REPORT

February 15, 2007

KEY RECOMMENDATIONS

Based on the directive from the Legislature, the work groups make detailed recommendations for change in the major areas of supervision, programming, and oversight and standards. The key recommendations from the groups include:

SUPERVISION

- Additional funding should be allocated for a range of housing alternatives for sex offenders in the community as well as for those who are in need of short- and long-term health care.
- EJJ offenders should have access to the same funding streams for housing as adult supervised release offenders.
- Agents should have higher levels of face-to-face contact with sex offenders they are supervising, as well as collaboration with individuals and agencies in the community where the offender is being supervised.
- Agents supervising sex offenders should receive more specialized training and awareness of current best practices in sex offender management
- Funding is necessary to increase training to corrections professionals on sex offender issues, including best practices and future enhancements.
- A new protocol should be followed when assessing juvenile risk to determine the level of supervision.
- The DOC should endorse a validated juvenile risk assessment tool when one becomes available that would then be implemented as standard practice statewide.
- Additional funding for investigations by counties in child protection matters.
- Data practice language should be updated to allow sharing of information between child protection and probation staff on juvenile sex offenders.
- The BCA should establish a Human Services notification process and include this process on BCA predatory registration forms.
- Human Services should maintain open case files on juvenile sex offenders while under probation supervision.
- Institution case managers should submit a new request for agent assignment and provide a full release plan packet each time an adult or juvenile offender returns to prison.

- All institutional pre-releases and intrastate transfers should follow a standard set of investigation practices.
- Sex offender supervision should be specialized wherever possible.
- ISR standards and phase system should be revised.
- Specialized caseloads and units dedicated to the supervision of sex offenders should be created whenever feasible.
- Additional funding should be allocated to incorporate new technology in sex offender management and upgrade local operational systems.
- S3 should clearly list the offender's rank, predatory offender registration, end-of-confinement review, and community notification status.

PROGRAMMING

- Additional funding should be allocated for community-based treatment.
- The DOC should receive funding to create a communication process among programs.
- The proposed guidelines for assessment and treatment should be used by the DOC in its grant-making process, and treatment programs that receive state funding should be required to comply with the guidelines.
- Additional funding should be allocated to the DOC to provide sex offender treatment expertise in the grant-making decisions and to monitor treatment program compliance with the guidelines.
- Additional funding should be allocated for polygraph examinations in sex offender supervision cases (offenders would still pay a portion of the costs).
- The DOC should create and maintain a registry of qualified polygraph examiners.

OVERSIGHT AND STANDARDS/GUIDELINES

- Additional funding should be allocated to implement and monitor the proposed standards for adult and juvenile supervision and treatment, including determining what resources will be necessary by jurisdictions to meet these standards.
- Create and fund an ongoing small-scale entity to coordinate, assess, and improve state-wide responses to sex offender management, including identifying new and emerging issues; providing training, technical assistance, and oversight to agencies allowing them to meet the standards; and working closely with researchers.
- Create an independent, statewide operational and policy research entity to review national and international best practices, identify emerging trends, conduct research, and provide local, state, and national policy-makers with evidence-based recommendations for improving sex offender management.

FUNDING RECOMMENDATIONS SUMMARY

In order to implement all the recommendations of this report, the work groups recommend specific line item allocations by the legislature in each of the following priority areas. In the implementation of standards and guidelines, correctional agencies and associated communities partners, including community human services, should not be required to divert funds from other important operational areas.

All the work groups recommend additional funding to support the development and implementation of standards for adult and juvenile supervision, treatment programming, and polygraph examinations.

- 1) Additional funding is needed to increase the number of supervising agents to meet the new minimum and best practice standards being proposed by the work group. These increases need to account for agents supervising sex offenders that are on ISR caseloads as well as regular community probation and supervised release caseloads.
- 2) All the work groups identified the need for additional funding for sex offender treatment. The Adult Work Group suggests that this could be handled by establishing a state-wide fund specifically designated to subsidize offender participation in structured, sex offender-specific treatment. The funding should be open to all offenders currently ordered to participate in such treatment.
- 3) Offender housing on release from both Minnesota correctional facilities and local correctional facilities. This should include substantial increases in halfway house funding, expansion of reentry housing, and long-term establishment of subsidized, supervised apartment facilities throughout the state.
- 4) Additional testing will be needed to meet the standards being proposed. A statewide fund should be established to subsidize polygraph testing. Offenders, adults and juveniles, should be obligated to pay for a portion of polygraph costs based on a sliding fee based on a comprehensive evaluation of the offender's ability to pay. This funding may be available for polygraph examinations in situations where an offender's situation has changed quickly and a polygraph examination is needed to ensure public safety.
- 5) An increased appropriation to the DOC in cooperation with the Department of Human Services to provide basic and advanced training for all agents supervising sex offenders regardless of the delivery system employing the agent, treatment provider, polygraph examiner, child protection service workers, and case managers who work with mentally ill and developmentally disabled people.
- 6) A fund to establish and staff an oversight committee, sufficient to continue the process of policy and standard development in the area of sex offender supervision.
- 7) Increased funding to Services to provide the necessary level of investigation and services to those minors who may reside with someone convicted of a sexual offense.
- 8) An appropriation to conduct both operational and policy research. This funding would carry out any of these research efforts and should include both full-time research staff as well as support to hire university undergraduate and graduate students on specific research efforts. These research efforts need to be conducted in an unbiased manner and coordinated with Minnesota Community Corrections Act Counties (MACCAC), Minnesota Association of County Probation Officers (MACPO) and the DOC, as well as other local, state, and national organizations. This will allow for continued research into the best practices relevant to sex offenders and their supervision, treatment, and polygraph examinations.

- 9) The establishment of an appropriation to fund state-wide use of various technologies to enhance the supervision of those convicted of sexual offenses. Those technologies should include but not be limited to computer and internet monitoring equipment, GPS electronic monitoring equipment, and drug and alcohol testing equipment and services.
- 10) Appropriation for the development of special residential and nonresidential programs for those individuals convicted of sexual offenses requiring special care, including but not limited to those requiring nursing homes, long-term residential facilities for the developmentally disabled, specialty sex offender treatment programs for the above population; long-term residential services for the Seriously and Persistently Mentally Ill, (SPMI) and specialty sex offender treatment services for that population; and specialty residential services for the chemically dependent, both primary treatment and three-quarter way residences.
- 11) Additional funds should be appropriated to address deficiencies and gaps in the sex offender treatment system. This includes additional positions to provide sex offender treatment expertise to grant-making decisions and monitoring of treatment programs in regard to compliance with proposed guidelines. Additionally, positions will need to be created to communicate between treatment programs. This funding will lead to a more efficient and effective continuum of treatment programming options through-out the state.