

Sex Offender Civil Commitment Advisory Task Force
Thursday, September 26, 2013
6:00 – 9:00 PM
Room 5 State Office Building

Agenda:

1. Welcome/housekeeping items/updates from Task Force Chair
2. Update regarding a potential new alternative setting for clients in the Minnesota Sex Offender Program recently announced by DHS
3. Discussion of letter regarding estimated recidivism figures for civilly committed persons
4. Task Force discussion of possible changes in current commitment and reduction in custody standards and procedures
5. Public Comments

Task Force Attendance:

Hon. Eric J. Magnuson (Chair)
Sen. Warren Limmer
Dean Eric Janus
Donna Dunn
Dr. Michael Thompson (ex officio)
Fred Friedman (ex officio)
Kelly Mitchell (ex officio)

Ryan Magnus
Hon. Kathleen Gearin
County Atty. Mark Ostrem
Hon. Joanne Smith (ex officio)
Rep. Tina Liebling
Comm. Nancy Schouweiler
Roberta Opheim

Meeting Minutes:

(This document is a general summary of the Task Force meeting and is not intended to be a detailed transcription.)

Meeting Began: 6:05 PM

Welcome/Housekeeping Items/Updates from Task Force Chair

Chair Eric Magnuson welcomed the members, addressed housekeeping items and made some announcements. He commented on the public meeting held earlier in the day by DHS to inform people about the Minnesota Sex Offender Program (MSOP). He explained some matters related to the *Ince* case, which is currently under review by the Minnesota Supreme Court. He mentioned that a settlement had not yet been reached in the *Karsjens* suit. He mentioned the situation relating to Cambridge and asked for an update from DHS.

Update regarding a potential new alternative setting for clients in the Minnesota Sex Offender Program recently announced by DHS

Anne Barry, Deputy Commissioner of DHS, addressed the Task Force regarding Cambridge. There are 48 beds available. A letter was sent to Legislators, and Task Force members were all copied. There will be a community meeting in Cambridge on October 1. Petitions are going to the SRB for six clients. Comm. Barry answered questions from members of the Task Force. In addition, Nancy Johnston, Director of MSOP, answered questions from the Task Force.

Task Force members discussing this included Chair Magnuson, Roberta Opheim, Dean Janus, Sen. Limmer, and Ryan Magnus.

Discussion of letter regarding estimated recidivism figures for civilly committed persons

John Kirwin, an Assistant Hennepin County Attorney, wrote a letter to the Task Force regarding the estimated recidivism figures for civilly committed persons in research conducted by the Department of Corrections. The Task Force will consider these issues.

Task Force discussion of possible changes in current commitment and reduction in custody standards and procedures

Chair Magnuson convened the discussion. He discussed the need for a preface or introduction to the Task Force's next report, in which the Task Force would say that we are not recommending the elimination of MSOP, but that it is well within our purview to examine changes in how these might work in enhanced criminal options, but that we are not going to design sentencing law. Task Force members participating in this discussion on sentencing included Kelly Mitchell, Ryan Magnus, Judge Smith, Judge Gearin, Fred Friedman, County Atty Ostrem, Donna Dunn, and Dr. Thompson.

After a break, the Task Force discussed the issue of screening. Members participating in this discussion included County Atty. Ostrem, Chair Magnuson, Ryan Magnus, Dr. Thompson, Dean Janus, Roberta Opheim, Rep. Liebling, Sen. Limmer, Comm. Schouweiler, Fred Friedman, and Judge Smith.

Chair Magnuson wound up the discussion by posing questions for the next meeting – is there a need for a centralized screening panel at the pre-petition stage? Is there a need for a commission of some sort to develop articulated standards and criteria to guide the screening panel and perhaps the court?

Judge Gearin expressed frustration in that she is concerned about how those who are already committed would get out, not just how they get in. Chair Magnuson responded that next time, the Task Force would begin by discussing reduction in custody, followed by hearings, burdens of proof and standards of proof.

Public Comment:

- Dennis Pearson spoke about sex offender civil commitment and issues concerning juries
- Leo Feeney discussed the issue of sex offender treatment and the question of when those who are committed would be released.
- Tammy Annen asked if MSOP has sway on who is committed and who is released.
- Tom Evenstad spoke about screening panels, evaluators, aftercare services, and the purpose of MSOP.
- Alice Richter said she went to the meeting that day (referred to earlier in these minutes) and was impressed by the meeting.
- Thomas Koepke asked about proposals to disband civil commitment; he said that the MSOP program had made a big difference in his life.

The next meeting is scheduled for:

October 9

Meeting Concluded: 9:00 PM