

Policy Number: 204.050
Title: Sex Offense Specific Treatment ~~Directives and~~
Programming Recommendations and Services
Effective date: 7/7/2020 ~~TBD~~ 1/27/2024

PURPOSE: To provide sex ~~offense~~ specific treatment ~~services~~ programming in correctional facilities ~~and to reduce the re-offense risk of these identified individuals who have been convicted or adjudicated of sexual offenses, as well as adults who have engaged in non-adjudicated sexual offense behavior but are committed to the cCommissioner of cCorrections for other offenses. including those that have or have sexual offense behaviorssexual offenders from committing new sexual offenses on after release, and~~ ~~to~~ Additionally, this ~~This also~~ provides policy and procedure for program CRreview Teams (PRTs) the risk assessment/community notification (RA/CN) unit to give recommendations ~~directives~~ to adult incarcerated individuals ~~offenders~~ to participate in sex offense specific treatment ~~rehabilitative programming~~.

APPLICABILITY: ~~Programming components a~~ Applies to all designated facilities that provide sex offense specific treatment. Distinction is made in procedures that apply to adults and those procedures that apply to juvenile incarcerated individuals.

DEFINITIONS:

~~*Program review team (PRT)—a team designated by the warden to conduct program reviews, and which makes directives or recommendations for facility programming, makes recommendations to the hearings and release unit (HRU) on discretionary releases and release plans, and gives directives.*~~

Case Review Team –DOC staff or designated stakeholders who review assessment results and, provides feedback and recommendations on facility programming to incarcerated individuals. The cCase rReview tTeam may makerecommendationsmake recommendations to the hearings and release unit (HRU) on discretionary releases and release plans.- Case reviews may include DOC staff and other stakeholders from various disciplines to provide expertise and feedback to incarcerated persons. Case Reviews may result in a multi-disciplinary team (MDT). Case Reviews occur at intake and at least annually for every incarcerated person. Special case reviews may occur as defined in Policy 203.010 “Case Management Process.”

~~Case Reviews may include DOC staff and other stakeholders from various disciplines to provide expertise and feedback to incarcerated persons. Case Reviews may result in a multi-disciplinary team (MDT). Case Reviews occur at intake and at least annually for every incarcerated person. Special Case Reviews may occur as defined in the Case Management Process Policy (Policy 203.010). Sex offender—an offender who is subject to predatory offender registration, has a prior charge or conviction for an offense that was sex-related, or self-reports an incident or patter of sexually-assaultive behavior.~~

PROCEDURES:

- A. General Treatment Services ~~Programming~~ Provision for Adults and Juveniles
1. Sex offense specific treatment programs include staff that are trained in the provision of therapy and counseling who design, supervise, and implement the treatment services.
 2. Sex offense specific treatment staff who design, supervise, and implement the treatment services must be trained in the provision of therapy and counseling.

32. The treatment program staff develop provide realistic goals in collaboration with the client for the rehabilitation of incarcerated people who have engaged in sexual offense behavior committed sex offenses and offer a variety of approaches to provide flexibility in treatment modalities to meet the needs of the clients.

B.

B.——Specific treatment procedures outlined in respective facility sex offense treatment program manuals are delivered and documented as required by Minnesota Rules parts 2955.0010 through 2955.0170 and 2965.0010 through 2965.0170. Specific treatment modalities are included in respective facility sex offense specific treatment program manuals. The delivery of such modalities is documented according to the requirements of Minnesota Rules parts 2955.0010 through 2955.0170 and 2965.0010 through 2965.0170.

C. Sex offense--specific treatment programs are audited for certification purposes on a biennial basis. Results of audits, for example, (e.g., certification letters), -are posted on iShare.

D. Required program documentation must be retained in the electronic health record of the incarcerated individual.

EA. Sex Offense Specific Treatment Recommendations for Adults Directives

1.——Recommendations for adults:

1a. The cCeaseprogram rR-review tT-team (PRT)-must refer direct all individuals who are subject to predatory offender registration, who have a prior charge or conviction for an offense that was sex-related, or who self-report an incident or pattern of sexually-assaultive behavior sex offenders for a review by the risk assessment/community notification unit to “Complete the treatment recommendations of a Minnesota Department of Corrections (DOC) or Minnesota Department of Human Services (DHS) treatment professional.”

2. The risk assessment/community notification (RA/CN) unit reviews individuals entering or returning to a correctional facility due to a violation of their release violators to determine if a recommendation for treatment made by the Case Review Team is warranted. RA/CN staff also make recommendations for all adult male ie outlined in Procedure E.1 sex offenders regarding appropriate programming placement within the DOC.

3. If a recommendation for treatment is warranted, the incarcerated person will receive a treatment recommendation reflecting their level of risk and treatment need as assessed by the Minnesota Department of Corrections treatment professional.

34. Sex offense specific treatment recommendations directives must be documented in the correctional operations management system (COMS).

45b. 2.——Unmet treatment recommendations directives may result in mandatory placement on intensive supervised release pursuant to Policy 203.018 “Agent Assignment and Release Planning.”-

56e. 3.——Incarcerated individuals Offenders may appeal the recommendation to participate in treatment to the director of the RA/CN unit. The decision of the director of the RA/CN unit is final and may not be appealed. Offender aA-ssessment appeals must be documented

in the offender document system (ODocS), ~~the sex offense specific treatment file~~, and, if appropriate, the ~~incarcerated person's offender's~~ electronic health record ~~mental health file~~.

~~2. Program entry for juveniles:~~

~~a. Must be court ordered to participate in sex offense specific treatment.~~

~~b. Must meet MCF-Red Wing SOTP admission criteria.~~

~~B. General Programming Provision for Adults and Juveniles~~

~~1. Sex offense specific treatment programs include staff that are trained in the provision of therapy and counseling who design, supervise, and implement the treatment.~~

~~2. The treatment program provides realistic goals for the rehabilitation of incarcerated people/offenders who have committed sex offenses and offers a variety of approaches to provide flexibility in treatment modalities to meet the needs of the client/offenders.~~

F. Participation in Recommended Treatment for Adults

1. Successful participation in recommended sex offense specific treatment may be a requirement to obtain certain benefits and privileges, including access to some programs, reductions in custody or supervision levels, and early release opportunities. Declining/Refusal to participate in or termination from treatment may result in ineligibility for such benefits and privileges. Extended incarceration will not be imposed for failures to successfully complete recommended treatment.

FGC. Sex Offense Specific Treatment Program Termination and Individual Choice to Decline/Refusals for Adults

1. Types of treatment discharges include program completion, participated until release, withdrawal, administrative discharge, and terminated.

2. Treatment termination reasons vary and may include, but are not limited to: repeated criminal or problematic behaviors in which the client continues to be resistant to interventions, or when their presence in the treatment community represents an increased risk of safety concerns for others.

12. The treatment staff must document any treatment withdrawal, termination, declination or denial of sex offense behavior, and communicate that information to the caseworker. The caseworker must then document this information in the individual's case notes in COMS. or interviewing staff must document any refusal of/termination/failure of treatment, or refusal to cooperate with treatment directives, and forward an interview or terminations memo and a Treatment Directive Incident Report to the discipline unit in the correctional facility where the treatment refusal or failure takes place.

23. If a/an incarcerated person may be entitled to consideration for a second opportunity at sex offense treatment during the same incarceration, even if they initially offender-declined/refuses to enter (based on either outright declination and/or denying a history of engaging in any sexual offense behavior), withdrew, or was terminated from, a treatment program, they may be entitled to consideration for a second admission during the same incarceration. Second admission requires the approval of the sex offense specific treatment program director/designee. Additional treatment opportunities must be approved following review by the behavioral health services director, or designee, and the MCF-Lino Lakes and MCF-Rush City sex offense specific treatment program directors/group/designees.

34. ~~Offender a~~ Appeals of treatment termination must be sent to the director of the treatment program and must be documented in ODocS, the sex offense specific treatment file, and, if appropriate, the incarcerated person's offender's electronic health record ~~mental health file~~.

GH. Sex Offense Specific Treatment Services for Juveniles

1. The following conditions are required for a juvenile to enter sex offense specific treatment:

- a. The juvenile must be court ordered to participate in sex offense specific treatment; and
- b. The juvenile must meet MCF-Red Wing sex offense ~~eder~~ treatment programming admission criteria.

HI. Sex Offense Specific Treatment Program Individual Choice to Decline Refusal or Recommendation for Removal from Treatment for Juveniles

1. MCF-Red Wing staff will collaborate with the county involved in the juvenile's placement to determine required action if a juvenile refuses to participate in sex offense specific treatment.
2. If a resident is recommended for removal from MCF-RW SOTP, facility staff will work with the county of commit and/or the resident's guardian to develop a plan for transition.

~~E. Specific treatment modalities are included in respective facility sex offense specific treatment program manuals. The delivery of such modalities is documented according to the requirements of Minnesota Rules parts 2955.0010 through 2955.0170 and 2965.0010 through 2965.0170.~~

~~C. Sex offense specific treatment programs are audited for certification purposes on a biennial basis. Results of audits (e.g., certification letters) are posted on iShare.~~

~~D. Required program documentation Initial assessment, quarterly progress reports, program participation summaries, and discharge summaries must be retained in the electronic health record, sex offense specific treatment program files.~~

INTERNAL CONTROLS:

- A. ~~A.~~ Sex offense specific treatment recommendations ~~directives for adults~~ are documented in COMS. Sex offense specific treatment court orders for juveniles are retained in JUV ODocS.
- B. Recommendations ~~Directive and termination appeals for adults~~ are documented in ODocS and, the individual's electronic health record ~~sex offense specific treatment file, and, if appropriate, the offender's mental health file.~~
- C. Termination appeals for adults are documented in the individual's electronic health record.
- ~~CD. Required program documentation Initial assessment, quarterly progress reports, program participation summaries, and discharge summaries must be retained in the electronic health record in accordance with document retention policies. sex offense specific treatment program files.~~
- ~~E.D.~~ Certification audit results are retained on iShare.

ACA STANDARDS: ~~4-4432, 4-4433, and 4-4434~~

REFERENCES: Minn. Stat. §§ 241.67, subd. 1; 242.195

Minn. Rules parts [2955.0010 through 2955.0170](#) and [2965.0010 through 2965.0170](#).

REPLACES:
[7/7/203/5/19](#).

Policy 204.050, "Sex Offender Treatment [Directives and](#) Programming,"

[Policy 203.013, "Sex Offender and Chemical Dependency Treatment Directives – Adult Facilities," 2/21/17.](#)

All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: [Treatment Directive Incident Report 2020—SO \(on behavioral health private iShare site\)](#)[None](#)

APPROVALS:

[Commissioner of Corrections](#)[Deputy Commissioner, Community Services](#)

[Deputy Commissioner, Facility Services](#)

[Assistant Commissioner, Operations Support](#)

[Assistant Commissioner, Criminal Justice Policy, Research, and Performance](#)