DEPARTMENT OF CORRECTIONS

Policy Number:	**204.050**
Title:	**Sex Offense Specific Treatment Recommendations and Services**
Effective date:	**7/7/26**

PURPOSE: To provide sex offense specific treatment services in correctional facilities and reduce the re-offense risk of identified individuals who have been convicted or adjudicated of sexual offenses, as well as adults who have engaged in sexual offense behavior, but have not been convicted of a sexual offense, and are committed to the commissioner of corrections for other offenses. Additionally, this provides policy and procedure for the risk assessment/community notification (RA/CN) unit to give recommendations to adult incarcerated individuals to participate in sex offense specific treatment.

APPLICABILITY: Applies to all designated facilities that provide sex offense specific treatment. Distinction is made in procedures that apply to adults and procedures that apply to juveniles.

DEFINITIONS:

Case Review Team – DOC staff or designated stakeholders from various disciplines who review assessment results and provide feedback, expertise, and recommendations on facility programming to incarcerated people. The case review team may make recommendations to the hearings and release unit (HRU) on discretionary releases and release plans. 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."

PROCEDURES:

A. General treatment services provision for adults and juveniles

1. Sex offense specific treatment programs include staff that are trained in providing 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 providing therapy and counseling.

3. Treatment program staff collaborate with incarcerated people to develop realistic rehabilitation goals for incarcerated people who have engaged in sexual offense behavior and offer a variety of approaches to provide flexibility in treatment modalities that meet their needs.

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

C. Sex offense specific treatment programs are audited biennially for certification purposes. Results of audits, such as certification letters, are posted on iShare.

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

E. Sex offense specific treatment recommendations for adults

1. The case review team must refer all individuals who are subject to predatory offender registration, 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 for a review by the risk assessment/community notification unit.

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 to determine if a recommendation for treatment is warranted.

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 a Minnesota Department of Corrections treatment professional.

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

5. Unmet treatment recommendations may result in placement on intensive supervised release, pursuant to Policy 203.018 “Agent Assignment and Release Planning,” procedure B.1.b

6. Incarcerated people 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. Assessment appeals must be documented in the offender document system (ODocS) and the incarcerated person’s electronic health record.

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 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.

G. Sex offense specific treatment program termination or individual choice to decline for adults

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

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

3. 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 incarcerated person's case notes in COMS.

4. An incarcerated person may be considered for a second opportunity to participate in sex offense treatment during the same period of incarceration, even if they initially declined to enter (based on either outright declination and/or denying a history of engaging in any sexual offense behavior), withdrew, or were terminated from, a treatment program. Second admission requires the approval of the sex offense specific treatment program director/designee. Subsequent treatment opportunities must be approved following review by the behavioral health services director or designee, and the sex offense specific treatment program directors' group.

H. Appeals of treatment terminations

1. Incarcerated people may appeal their termination from a sexual offense treatment program by writing to the treatment program director within 72 hours of the termination.

2. The treatment program director, or designee, must respond to the incarcerated person's appeal within five business days of receipt of the appeal

3. The treatment program director's appeal decision is final and may not be grieved

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4. Treatment staff must document any waiver of right to appeal

5. Treatment termination appeals must be retained in the incarcerated persons' electronic health record.

H. 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 treatment programming admission criteria as attached to Policy 202.041 "Juvenile Facility Admissions."

I. Sex offense specific treatment program recommendation for removal from treatment or individual choice to decline 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.

STATE CORRECTIONAL FACILITY SECURITY AUDIT STANDARDS: None

INTERNAL CONTROLS:

A. Sex offense specific treatment recommendations for adults are documented in COMS. Sex offense specific treatment court orders for juveniles are retained in JUV ODocS.

B. Recommendations for adults are documented in ODocS and the incarcerated person's electronic health record.

C. Termination appeals for adults are documented in the incarcerated person's electronic health record.

D. Required program documentation must be retained in the electronic health record in accordance with document retention policies.

E. Certification audit results are retained on iShare.

REFERENCES: Minn. Stat. §§ 241.67, subd. 1; 242.195
Minn. Rules parts 2955.0010 through 2955.0170.

REPLACES: Policy 204.050, "Sex Offense Treatment Recommendations and Services," 01/27/25.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: None

APPROVALS:
Commissioner of Corrections