Minnesota Department of Corrections

Division Directive:	**203.013**	**Title: Sex Offender and Chemical Dependency Treatment Directives – Adult Facilities**
Issue Date:	**2/7/17**	
Effective Date:	**2/21/17**	

AUTHORITY: Minn. Stat. §§ 244.101; 244.03; and 244.05.

PURPOSE: To provide policy and procedure for program review teams (PRT) to give directives to adult offenders to participate in sex offender and/or chemical dependency rehabilitative programming.

APPLICABILITY: Minnesota Department of Corrections (DOC); adult facilities

POLICY:
The department must screen and assess all offenders, except some release violators, according to Division Directive 500.308 "Chemical Dependency Assessment and Programming." Unmet treatment directives may result in mandatory placement on intensive supervised release.

The department must also identify all offenders who are sex offenders.

If an offender refuses or fails to enter and/or participate in treatment according to the assigned PRT directive he/she must be subject to discipline in accordance with Policy attachment 303.010I, "Offender Discipline Regulations."

DEFINITIONS:
Chemical dependency assessment – an assessment that is conducted by a qualified chemical dependency treatment professional using an instrument that provides for comprehensive review of chemical dependency issues, including severity of alcohol or other drug problem(s) and results in a diagnostics or statistics manual diagnosis or diagnostic impression.

Program review team (PRT) – a team designated by the warden to conduct program reviews. The team 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.

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 pattern of sexually assaultive behavior.

PROCEDURES:
A. Program review team (PRT) duties
   1. Chemical dependency treatment
      a) The program review team (PRT) must direct all offenders who are assessed to need chemical dependency (CD) rehabilitative treatment to participate in treatment.

      b) The PRT must direct offenders who have been identified to need a CD assessment and have not been assessed at the time of the initial PRT to receive a CD assessment and complete the recommendations that result from the assessment.

      c) Release violators must be directed to treatment at the discretion of the hearings and release unit.

2. Sex offender treatment

a) The PRT must direct all sex offenders to "Complete the treatment recommendations of a Department of Corrections or Department of Human Services treatment professional."

b) The recommendation may be appealed to the director of the risk assessment/community notification (RA/CN) unit. The decision of the director of the RA/CN Unit is final and may not be appealed.

B. Documentation

1. The case manager or interviewing staff must document any refusal/failure of treatment, or refusal to cooperate with assessment or treatment directive and forward an interview or termination memo and the attached incident report to the discipline unit in the correctional facility where the treatment refusal or failure takes place.

2. Alcohol and other drug (AOD) assessments and directives, as well as sex offender directives, must be documented in the corrections operation management system (COMS).

3. Offender assessment appeals and termination appeals must be documented in the offender document system (ODocS), the chemical dependency or sex offender file, and, if appropriate, the mental health file.

INTERNAL CONTROLS:

A. AOD assessments and directives, as well as sex offender treatment directives, are documented in COMS.

B. Offender assessment appeals and termination appeals are documented in ODocS, the chemical dependency or sex offender file, and, if appropriate, the mental health file.

REVIEW: Annually

REFERENCES: Division Directive 500.308 "Chemical Dependency Assessment and Programming"
Policy 203.010, "Case Management Process"
Policy 303.010, "Offender Discipline"
Policy attachment 303.010I,"Offender Discipline Regulations."

SUPERSESSION: Division Directive 203.013, "Sex Offender and Chemical Dependency Treatment Directives – Adult Facilities,"3/31/15.
All facility policies, memos, or other communications whether verbal, written or transmitted by electronic means regarding this topic.

ATTACHMENTS: Treatment Directive Incident Report (203.013A)

/s/ Deputy Commissioner, Facility Services