DEPARTMENT OF CORRECTIONS

Policy Number: 204.050
Title: Sex Offense Treatment Directives and Programming
Effective date: 7/7/2020

PURPOSE: To provide sex offense treatment programming in correctional facilities to reduce the risk of these identified sexual offenders committing new sexual offenses on release and to provide policy and procedure for program review teams (PRTs) to give directives to adult offenders to participate in sex offense rehabilitative programming.

APPLICABILITY: Programming components apply to all designated facilities that provide sex offense treatment.

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.

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. Sex Offense Treatment Directives

1. The program review team (PRT) must direct all sex offenders to "Complete the treatment recommendations of a Minnesota Department of Corrections (DOC) or Minnesota Department of Human Services (DHS) treatment professional." The risk assessment/community notification (RA/CN) unit reviews release violators to determine if a recommendation for treatment is warranted. RA/CN staff also make recommendations for all adult male sex offenders regarding appropriate programming placement within the DOC. Sex offense treatment directives must be documented in the correctional operations management system (COMS).

2. Unmet treatment directives may result in mandatory placement on intensive supervised release.

3. Offenders may appeal the recommendation 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 assessment appeals must be documented in the offender document system (ODocS), the sex offense treatment file, and, if appropriate, the offender's mental health file.

B. General Programming Provision

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

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

C. Sex Offense Treatment Program Termination and Refusals

1. The caseworker or interviewing staff must document any refusal/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.

2. If an offender refuses to enter, or is 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 treatment program director/designee. Additional treatment opportunities must be approved following review by the behavioral health services director and the MCF-Lino Lakes and MCF-Rush City sex offense treatment program directors/designees.

3. Offender appeals of treatment termination must be documented in ODocS, the sex offense treatment file, and, if appropriate, the offender's mental health file.

D. Specific treatment modalities are included in respective facility sex offense 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 treatment programs are audited for certification purposes on a biennial basis. Results of audits (e.g., certification letters) are posted on iShare.

D. Initial assessment, quarterly progress reports, program participation summaries, and discharge summaries must be retained in sex offense treatment program files.

INTERNAL CONTROLS:

A. Sex offense treatment directives are documented in COMS.

B. Directive and termination appeals are documented in ODocS, the sex offense treatment file, and, if appropriate, the offender's mental health file.

C. Initial assessment, quarterly progress reports, program participation summaries, and discharge summaries must be retained in sex offense treatment program files.

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: Policy 204.050, "Sex Offender Treatment/Programming," 3/5/19.
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)

APPROVALS:

Deputy Commissioner, Community Services
Deputy Commissioner, Facility Services
Assistant Commissioner, Operations Support
Assistant Commissioner, Criminal Justice Policy, Research, and Performance