



OFFICE OF THE COMMISSIONER
Contributing to a Safer Minnesota

February 14, 2006

Honorable Steve Smith, Chair
House Public Safety Policy & Finance Committee

Honorable Leo T. Foley, Chair
Senate Crime Prevention & Public Safety Committee

Dear Committee Chairs:

Minnesota Laws 2005, chapter 136, art. 3, sec. 29, directed the commissioner of corrections to report to the legislature by February 15, 2006, on prison-based sex offender treatment programs. Following is the Department of Corrections' (DOC) report on the specific areas the legislation directed examination.

- *Options for increasing the number of inmates participating in these programs.* Efforts to increase treatment participation and completion involve an increase in the number of treatment beds, an increase in treatment-readiness programs, additional resources to individualize treatment interventions, and expansion of release and reintegration planning. If the DOC were to serve all those offenders directed to sex offender programming, the DOC would need between 250 and 400 additional beds. The anticipated cost of this expansion would be between \$5 and \$8 million annually. In FY2005, the DOC had 200 adult male sex offender treatment beds. A total of 134 adult male offenders was admitted to sex offender treatment, with 31 completing the chemical dependency component and 19 completing the full course of sex offender treatment. Of those adult males participating in sex offender treatment in FY2005, 60 continued participation with 53 terminations and 14 voluntary quits from the program. Twenty-eight adult male offenders were offered sex offender treatment but refused to volunteer for the program.
- *Funding for these programs.* The DOC received FY2006 funding for 50 additional sex offender treatment beds located at the MCF-Rush City. This program serves sex offenders at high risk for re-offense and with complex chemical use and mental health issues that must be concurrently addressed. The program design has been completed, and the first offenders are in treatment-readiness programming awaiting the opening of the new physical space needed for the program.



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- *Options for treating inmates who have limited periods of time remaining in their terms of imprisonment.* In collaboration with community sex offender treatment providers, the DOC is in the process of designing programming that is linked to offender services upon release from prison. High-risk offenders who do not have sufficient incarceration time to complete treatment will have the opportunity to continue treatment in the community. This would be contingent upon readily available treatment in the community.
- *The merits and limitations of extending an inmate's term of imprisonment for refusing to participate in treatment.* Current law allows the DOC to impose extended incarceration time for failure to participate in offered treatment programming. A review of the merits and limitations of imposition of extended incarceration on offenders for refusing to participate in sex offender treatment was completed in January 2006. The review resulted in continued support for imposition of extended incarceration as a utilitarian tool for increasing responsiveness to treatment and engaging in the change process.
- *Any other related issues deemed relevant by the commissioner.* A Summit on Sex Offender Management was held on June 30, 2005. Co-sponsors of this event were:
 - ✓ Minnesota Corrections Association
 - ✓ Minnesota Community Corrections Association
 - ✓ Minnesota Association of Community Corrections Act Counties
 - ✓ Minnesota Association of County Probation Officers
 - ✓ Minnesota Department of Corrections

The Center for Sex Offender Management (CSOM) facilitated the summit and presented best practices in sex offender supervision from across the nation. CSOM is sponsored by the Office of Justice Programs, U.S. Department of Justice, in collaboration with the National Institute of Corrections, State Justice Institute, and the American Probation & Parole Association. CSOM is administered through a cooperative agreement between the OJP and the Center for Effective Public Policy.

A Minnesota Legislative Auditor's Office representative discussed concerns outlined in that office's report on sex offender supervision.

The summit served as a working session to provide input on establishing standards of supervision and treatment for sex offenders in Minnesota communities. Over 300 participants from across the state attended, including supervising agents from Minnesota's three delivery systems and other practitioners. Participants provided their input on a variety of issues including standards, assessment, treatment, and use of polygraph services.

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Information generated by summit participants has been provided to the Working Group on Sex Offender Management (established by Laws 2005, chap. 136, art. 3, sec. 28, subd. 4) for use in its deliberations. The Working Group has formed subgroups, made up of community and correctional representatives with expertise in sex offender management, who will examine sex offender supervision, assessment, and treatment practices in Minnesota. Findings and recommendations are to be submitted to the legislature by February 15, 2007.

We continually assess DOC sex offender intervention services to assure quality care and plan for future services. Our goal is to provide a continuum of effective and efficient sex offender interventions within the resources provided. If additional resources are allocated to serve this population, services will continue to be expanded to improve motivation to participate in treatment, offer treatment to a greater number of offenders, and continue to build links from prison-based treatment to community care.

If you have questions regarding this report, please feel free to contact Patricia Orud, DOC Director of Behavioral Health, at 651/523-7140.

Sincerely,

/s/

Joan Fabian
Commissioner

JF:sb
Attach.

cc: Honorable Mary Murphy
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