
Summary of Recommendations

- The Legislature should direct the Minnesota Department of Corrections (DOC) or, alternatively, a state sex offender policy board, to develop state standards and guidelines regarding sex offender management, with input from a working group of state and local corrections officials (p. 91)

Within the report, we specifically recommend that DOC or a state sex offender policy board:

- * Adopt statewide standards regarding the minimum frequency of in-person contacts between sex offenders and their agents, including the frequency of home visits (p. 51);
 - * Develop a model set of “special conditions” of supervision that can be used by corrections agencies and courts throughout Minnesota (p. 56);
 - * Adopt statewide policies regarding agencies’ ongoing documentation of supervision activities (p. 60);
 - * Provide community-based corrections agencies with guidance regarding sex offender assessment practices (p. 69);
 - * Adopt a policy favoring the use of sentencing conditions that clearly specify whether the offenders are directed to complete sex offender treatment programs—as distinct from other categories of community-based programs or services (p. 75); and
 - * Establish a task force of DOC and local officials to identify improvements in the department’s prison “release planning” practices for sex offenders (p. 99).
- The Legislature should require DOC (or, alternatively, a state sex offender policy board) to establish a process for periodic external review of sex offender supervision practices (p. 93).
 - The Legislature should require the development of statewide standards regarding the administration of polygraphs (1) by, or on behalf of, agencies that supervise sex offenders on probation, and (2) by sex offender treatment programs (p. 54).
 - The Legislature should amend *Minn. Stat.* (2004), §609.3452, subd. 1, to explicitly require that mandatory sex offender assessments be completed prior to sentencing (p. 64).

- The State Court Administrator's Office should remind court officials throughout the state about the statutory requirement to refer repeat sex offenders to the state hospital for assessment (p. 65).
- The Legislature should clarify whether the Minnesota Department of Human Services has authority to waive assessments of repeat sex offenders in certain circumstances. If so, the department should adopt policies that specify circumstances in which waivers may be appropriate ((p. 65).
- For sex offenders released from prison, the Legislature should amend state law to require that DOC provide the supervising corrections agency with prison records of the offender's psychological assessments, medical and mental health status, and treatment (p. 70).
- The Legislature should require DOC to promulgate state rules that specify basic program elements for community-based sex offender treatment programs (p. 74).
- For sex offenders released from prison, DOC should clearly specify in its prison release plans whether the offenders are directed to complete sex offender treatment programs—as distinct from other categories of post-release programs or services (p. 75).
- DOC should report to the 2006 Legislature on various options for increasing the number of inmates participating in sex offender treatment programs in Minnesota prisons. The report should (1) examine the adequacy of program funding, (2) present options for treating inmates who have limited periods of time remaining in their prison sentences, and (3) discuss the merits and limitations of imposing “extended incarceration” on sex offenders who refuse to participate in treatment in prison (p. 78).
- If the Legislature adopts indeterminate sentencing for sex offenders, the body authorized to release sex offenders from prison should explicitly consider compliance with treatment directives as a factor in prison release decisions (p. 78).
- The Legislature and DOC should take steps to ensure that sex offender treatment funding is more available for offenders on supervised release, consistent with DOC's statutory obligation to provide appropriate services for this offender population (p. 82).
- The Legislature should amend *Minn. Stat.* (2004), §241.67 to require the Commissioner of Corrections to collect information from all sex offender treatment programs on individual offenders, for purposes of tracking offender outcomes and helping corrections agencies identify offender treatment histories. The Legislature should require DOC to periodically examine outcomes for sex offenders who have participated in these programs. The department should consider options for making information on individual treatment placements available to community-based corrections agencies (p. 88).

- In cases where offenders classified by DOC as “public risk monitoring” cases seek housing arrangements in a location under the jurisdiction of another corrections agency, state law should require that the supervising agency notify the “receiving” agency and initiate a supervision transfer request (p. 99).
- The Legislature should consider additional state funding for:
 - (1) reimbursement of pre-sentence sex offender assessment costs,
 - (2) treatment of sex offenders on supervised release, (3) transitional housing for sex offenders released from prison, (4) expansion of the state’s “enhanced sex offender supervision grants,” and (5) expansion of Intensive Supervised Release to areas poorly served by this program (p. 102).
- DOC should allocate at least some portion of sex offender treatment funding in proportion to the location of sex offenders throughout the state (p. 103).
- The Legislature should amend state law so that an agency supervising a sex offender is required to notify the local child protection agency prior to authorizing the offender to live in a household with children. The Legislature should require DOC to develop a standard statewide protocol that specifies the information that should be shared by corrections agencies for this purpose (p. 105).
- The Legislature should amend *Minn. Stat.* (2004), §626.556 to designate correctional supervision staff as mandatory reporters of child maltreatment (p. 106).
- The Legislature should amend *Minn. Stat.* (2004), §243.166 to require registered predatory offenders to disclose, as soon as possible, their pending or recent admission to a care facility to (1) their assigned corrections agent, or (2) a law enforcement agency, if the offender is no longer supervised by a corrections agent. The offenders should also be required to disclose their predatory offender status to the care facilities prior to admission, if possible (p. 107).
- *Minn. Stat.* (2004), §244.052 should be amended to require corrections or law enforcement agents to inform a care facility administrator if they have information that a registered predatory offender is living at the facility (p. 108).