

Civil Commitment of Sex Offenders

Update to 2011 Evaluation Report

Problems Identified

- **Lack of Alternatives.** Lower-cost alternatives may be appropriate for some Minnesota Sex Offender Program (MSOP) residents or some sex offenders being considered for commitment.
- **No Discharges.** At the time our report was issued in 2011, no sex offender had been successfully discharged from MSOP since its creation in 1994.
- **Programmatic Concerns.** In recent years, the MSOP treatment program had experienced leadership changes, staff turnover, and problems with its therapeutic environment.

Changes Implemented

- **One Resident Provisionally Discharged.** In March 2012, a special court panel provisionally discharged a civilly committed offender to a halfway house—the first such discharge in many years. There have been no subsequent releases.
- **Various Administrative Changes.** MSOP has implemented a number of programmatic changes to address issues with the therapeutic environment and lack of client progress in the treatment program, including completion of a treatment manual, and implementation of a policy for granting residents incremental privileges as they progress through MSOP.
- **Class Action Lawsuit Continues.** In 2012, the courts ordered the creation of (1) an expert panel to evaluate MSOP and (2) a task force on civil commitment. The task force recommended the development of less restrictive alternatives to MSOP, as well as statutory changes related to commitment and release of sex offenders. A judge warned that the court will act to remedy problems with MSOP and the civil commitment process if the Legislature and the Department of Human Services (DHS) fail to act. A bill addressing some issues passed the Senate in 2013, but not the House.
- **Alternative Proposed for Some Clients.** In 2013, DHS issued a Request for Proposal for community providers to establish less restrictive settings for some sex offenders. In Fall 2013, DHS proposed the transfer of some disabled offenders to a less restrictive facility in Cambridge. However, Governor Dayton ordered the agency to cease any planned transfers and oppose any petitions for discharge until the Legislature has had the opportunity to act.

Action Needed

- **Less Restrictive Alternatives.** There remains a need for DHS and the Legislature to develop alternative facilities for certain MSOP residents and some newly committed individuals. Alternatives would need funding and must provide adequate supervision and treatment of residents.