Sex Offender Risk Management in Mn.DOC

Sex Offender Civil Commitment Advisory Task Force St. Paul, Minnesota, November 1, 2012

> William Donnay Minnesota Department of Corrections

Minnesota's Sex Offender Risk Management System

- Enhanced Supervision in Community
- Sex offender treatment (prison & community)
- Registration (includes website for noncompliant offenders)
- Community Notification
- DNA collection
- Sexual Psychopathic Personality/Sexually Dangerous Person Civil Commitment
- Enhanced sentencing
- Innovative Programs

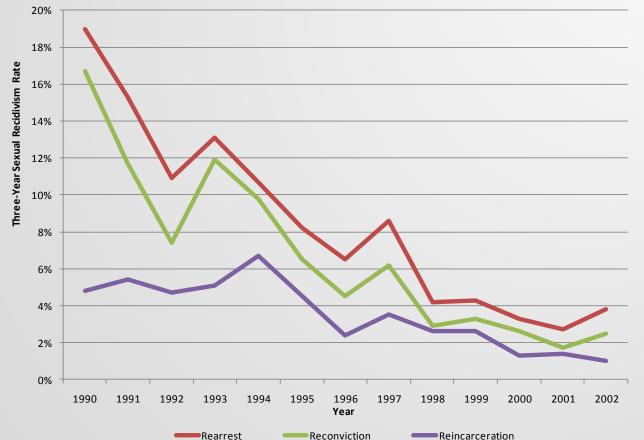
Bill Donnay MnDOC Presented to Civil Commitment Advisory Task Force, November 1 2012

How's the System Working?



3 Year Sexual Recidivism 1990 - 2002

Three years following release from incarceration those released in 1990 were rearrested for a sex offense at a rate of about 19%, whereas those released in 2002 were rearrested at a rate of about 4%.



Recidivism Study MnDOC April 2007

- 3,166 offenders released over 13 years
- 8.4 years average follow up
 - Sex Offense • Rearrested
 - Reconvicted
 10%
 - Reincarcerated 7%
 - Non Sex Offense
 - Rearrested 42%
 - Reconvicted 39%
 - Reincarcerated 19%

12%

Broadly: What Reduces Recidivism

- Cognitive-Behavioral Treatment
 - Sex Offender and Chemical Dependency
- Continuity of Care
- Social Support
 - Accountability

SPP/SDP Referrals to County Attorneys by DOC



Registration of Offenders

- The Bureau of Criminal Apprehension (BCA) is in charge of the Predatory Offender Registry.
- As of July 1, 2012, there were approximately 17,500 (active) predatory offenders registered in Minnesota.

Community Notification Risk levels 1,2,3

Applies to:

- Predatory Offenders released from prison (state or federal-including military)
- Civilly Committed Predatory Offenders under *MN Department of Human Services* authority
- Does not apply to:
- Juveniles (unless certified as an adult)
- Offenders Sentenced to Probation Rather than Prison

Level 3 and Civil Commitment Not the Same.

MnDOC Assigns Risk Levels

90 days prior to the Offender's release, the Department of Corrections (DOC) assigns a risk level to the offender.

The Risk Level is assigned by the : End of Confinement Review Committee (ECRC): DOC Chairperson, Case-manager, Psychologist, Law Enforcement Representative, and a Victim Services Representative.

Community Notification Minnesota Statute (244.052)

 Made risk level assignment the responsibility of the DOC Made community notification the responsibility of local law enforcement

How is Risk Level Determined?

Actuarial Instrument

Special Concerns

Mitigating Factors

Actuarial Instrument

- Attaches specific statistical weighting to different variables which are associated with risk to re-offend.
- Requires detailed follow-up research on a particular group over set periods of time.
- Minnesota DOC has implemented a new actuarial called Minnesota Sex Offender Screening Tool-3.1. (MnSOST-3.1)

MnSOST-3 Study

> 4 year follow up, reconviction for sex offense

- > 2515 offenders. Sexual Recidivism 4%
- > 220 offenders released in 1990's: 12%
- 2315 released 2003 to 2006: 3.3%

Application to MSOP population study

Sex Offender Treatment in Prison

- Lowered sexual recidivism by 27 percent, violent recidivism by 18 percent, and general recidivism by 12 percent.
 - Programs
 - 5 programs, capacity 350
 - 80% are released without treatment
 - Directed to complete treatment in the community

Sex Offender Treatment in Community

Programs

- 18 grantee programs
- Serve 84 counties
- Budget \$2.4 million annual
- Additional funding through offender co-pays, offender insurance and county assistance.
- Supervision in conjunction with treatment reduces recidivism

Supervision in Community

- High Risk sex Offenders Are Placed on Intensive Supervised Release (ISR)
 - One year program minimum
 - Four phases of intensity leading to regular supervision
 - Elements of ISR include:
 - Team Approach
 - 24/7 random face to face contacts
 - House Arrest
 - Electronic Monitoring
 - S.O. and C.D. treatment (polygraph used by many programs)
 - Urinalysis and breath tests
 - Constructive activity (employment, school etc)

Housing

- Halfway Houses for transition
- Emergency fund for short term
- Scattered site for transition
- Offender resources
- Homeless / Return to incarceration

References

- Duwe, Grant (in press). Can Circles of Support and Accountability (COSA) work in the United States? Preliminary results from a randomized experiment in Minnesota. *Sexual Abuse: A Journal of Research and Treatment*.
- Duwe, Grant (in press). The benefits of keeping idle hands busy: The impact of a prisoner reentry employment program on post-release employment and offender recidivism. *Crime & Delinquency*.
- Also available at: <u>http://www.doc.state.mn.us/publications/documents/03-11EMPLOYEvaluation.pdf</u>
- Duwe, Grant (2010). Prison-based chemical dependency treatment in Minnesota: An outcome evaluation. *The Journal of Experimental Criminology* 6: 57-81.
- Also available at: <u>http://www.doc.state.mn.us/publications/documents/03-10CDTXEvaluationReport_Revised.pdf</u>
- Duwe, Grant (2012). Evaluating the Minnesota Comprehensive Offender Reentry Plan (MCORP): Results from a randomized experiment. *Justice Quarterly*, 29: 347–383.
- Also available at: <u>http://www.doc.state.mn.us/publications/documents/02-10MCORPPhase1EvaluationReport.pdf</u>
 - Duwe, Grant and Valerie Clark (2011). Blessed be the social tie that binds: The impact of prison visitation on offender recidivism. *Criminal Justice Policy Review* DOI: 10.1177/0887403411429724.
 - Also available at: <u>http://www.doc.state.mn.us/publications/documents/11-11MNPrisonVisitationStudy.pdf</u>
 - Duwe, Grant and William Donnay (2008). The impact of Megan's Law on sex offender recidivism: The Minnesota experience. *Criminology* 46: 411-446.
 - Also available at: <u>http://www.doc.state.mn.us/publications/documents/05-08CommunityNotificationResearchRptillDonnay MnDOC Presented Civil</u>

Commitment Advisory Committee, November 1 2012

References (Continued)

- Duwe, Grant and William Donnay (2010). The effects of failure to register on sex offender recidivism. *Criminal Justice and Behavior* 37: 520–536.
 - Also available at: http://www.doc.state.mn.us/publications/documents/03-10FailuretoRegisterstudy.pdf
 - Duwe, Grant, William Donnay and Richard Tewksbury (2008). Does residential proximity matter? A geographic analysis of sex offense recidivism. *Criminal Justice and Behavior* 35: 484–504.
 - Also available at: http://www.doc.state.mn.us/publications/documents/04-07SexOffenderReport-Proximity.pdf
 - Duwe, Grant and Robin Goldman (2009). The impact of prison-based treatment on sex offender recidivism: Evidence from Minnesota. *Sexual Abuse: A Journal of Research and Treatment* 21: 279-307.
 - Also available at: http://www.doc.state.mn.us/publications/documents/03-10SOTXStudy_Revised.pdf
 - Duwe, Grant and Deborah Kerschner (2008). Removing a nail from the boot camp coffin: An outcome evaluation of Minnesota's Challenge Incarceration Program. *Crime & Delinquency* 54: 614–643.

Also available at:

http://www.doc.state.mn.us/publications/documents/CIPEvaluationReport 10-06.pdf

Duwe, Grant and Michelle King (2012). Can faith-based correctional programs work? An outcome evaluation of the InnerChange Freedom Initiative in Minnesota. *International Journal of Offender Therapy and Comparative Criminology* DOI: 10.1177/0306624X12439397.

Also available at: <u>http://www.doc.state.mn.us/publications/documents/2-</u> DOC_IFI_Evaluation.pdf

References (Continued)

- Northcutt Bohmert, Miriam and Grant Duwe (2011). Minnesota's Affordable Homes Program: Evaluating the effects of a prison work program on recidivism, employment, and cost avoidance. *Criminal Justice Policy Review* DOI: 10.1177/088740341142372.
- Also available at:

http://www.doc.state.mn.us/publications/documents/12-10ICWCAHPreport.pdf

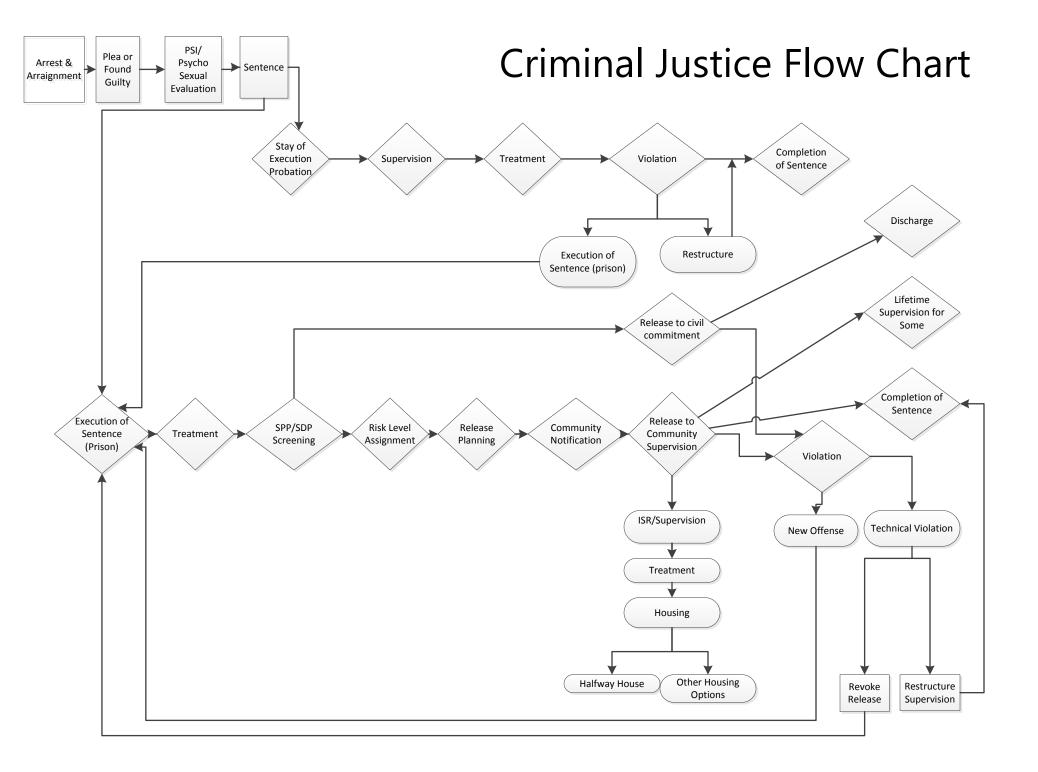
SEX OFFENDERS

AN OVERVIEW:

The MINNESOTA DEPARTMENT of CORRECTIONS ROLE In CRIMINAL JUSTICE RESPONSE to SEXUAL OFFENSES

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SEX OFFENDER TREATMENT IN MINNESOTA CORRECTIONAL FACILITIES

--Programming:

- Residential level treatment provided within licensed programs
- DOC prioritizes treatment to those who are assessed as moderate to high risk to reoffend.
- Due to resource limitations, sex offender treatment during incarceration can only be offered to a limited number of offenders prior to their release back to their communities (approximately 30% of those directed to treatment).
- Sex offenders who do not receive treatment prior to release are typically required to complete community-based treatment as a condition of supervised release.

| | Lino Lakes | Rush City | Red Wing | Shakopee | MSOP-DOC | St. Cloud |
|---------------|------------|------------|---------------|--------------|------------|---------------------|
| Beds | 200 | 60 | 26 | 8 | 50 | 32 |
| Population | Adult Male | Adult Male | Juvenile Male | Adult Female | Adult Male | Adult Male |
| Services | SO+CD | SO | SO | SO | SO | CD (for Sex Ofndrs) |
| Custody level | Medium | Close | ALL | All | Medium | Close |

Department of Corrections Facility Sex Offender Treatment Programs

--Outcome:

A DOC study that was published in the September 2009 issue of Sexual Abuse: A Journal of Research and Treatment

- Examined 2,040 sex offenders released from Minnesota prisons between 1990 and 2003
- Average follow-up period to track recidivism was 9.3 years
- Sex offender treatment provided within the DOC reduced the risk of re-arrest for a new sex offense by 27 percent
 - Size of reduction was greater (33 percent) for sex offenders who completed treatment or successfully
 participated until release
- Participation in prison-based treatment lowered the risk of re-arrest for a violent crime (both sex and non-sex offenses) by 18 percent. Prison-based treatment decreased the risk of re-arrest for any offense by 12 percent.

Available at: <u>http://www.doc.state.mn.us/publications/publications.htm</u>

CHEMICAL DEPENDENCY TREATMENT IN MINNESOTA CORRECTIONAL FACILITIES

--Programming

- Residential level treatment provided within certified programs
- DOC prioritizes treatment to those who are assessed as moderate to high risk to reoffend.
- Due to resource limitations, chemical dependency treatment during incarceration can only be offered to a limited number of offenders prior to their release back to their communities (approximately 30% of those directed to treatment).
- Offenders who do not receive treatment prior to release are typically required to complete community-based treatment as a condition of supervised release.

| | Lino Lakes | Faribault | Moose lake | Stillwater | Willow River CIP | Togo CIP | Shakopee |
|---------------|------------|------------|------------|------------|---------------------|--------------|--------------|
| Beds | 256 | 160 | 48 | 180 | 180 | 30 | 40 |
| Population | Adult Male | Adult Female | Adult Female |
| Services | CD | CD | CD | CD | CD | CD | CD |
| Custody Level | Medium | Medium | Medium | Close | Medium | Close | All |

Department of Corrections Facility Chemical Dependency Treatment Programs

--Outcome

A DOC study that was published in the March 2010 issue of the Journal of Experimental Criminology

- Examined 1852 offenders released from Minnesota prisons during 2005
- Average follow-up period to track recidivism was 42 months
- Chemical dependency treatment provided within the DOC reduced the risk of re-incarceration for a new offense by 25%

Available at: http://www.doc.state.mn.us/publications/documents/03-10CDTXEvaluationReport_Revised.pdf

SPP/SDP CIVIL COMMITMENT SCREENING

Minn. Stat. 244.05 Subd. 7 and Minn. Stat. 253B

"Before the commissioner releases from prison any inmate convicted under section 609.342, 609.343, 609.344, 609.345, or 609.3453, or sentenced as a patterned offender under section 609.3455, subdivision 3a, and determined by the commissioner to be in a high risk category, the commissioner shall make a preliminary determination whether, in the commissioner's opinion, a petition under section 253B.185 may be appropriate. The commissioner's opinion must be based on a recommendation of a Department of Corrections screening committee and a legal review and recommendation from independent counsel knowledgeable in the legal requirements of the civil commitment process. The commissioner may retain a retired judge or other attorney to serve as independent counsel. ..."

• <u>Screening Committee:</u>

Composed of three members who are Department of Corrections employees who have experience in sex offender risk assessment, supervision in the community and sex offender treatment.

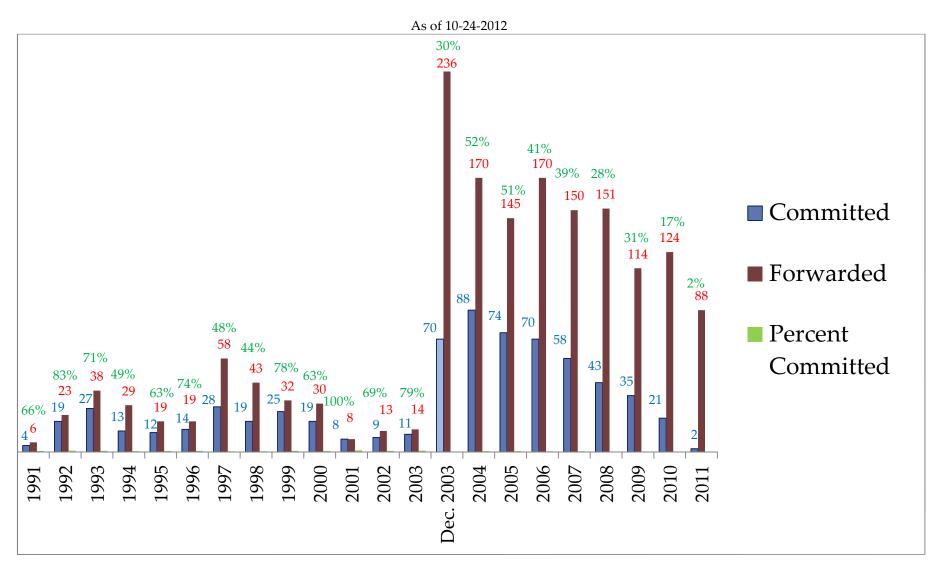
• <u>Independent Legal Counsel:</u> Provided on contract by retired Administrative Law Judge.

--TIMING:

The screening starts about fourteen (14) months before release and cases are forwarded to the county attorney twelve (12) months prior to release. In cases of a short sentence to serve, the screening is done as soon as practicable.

| YEAR | 1 st LEVEL ELIMINATION | 2ND LEVEL REVIEW | 3rd level review | FORWARDED |
|------|-----------------------------------|------------------|-------------------------|-----------|
| 2011 | 94 | 656 | 125 | 88 |
| 2010 | 105 | 747 | 169 | 124 |
| 2009 | 78 | 758 | 173 | 114 |

WORK SUMMARY (SEE NEXT PAGE FOR FURTHER DATA)



SPP/SDP REFERRALS TO COUNTY ATTORNEYS BY DOC

SPP/SDP CIVIL COMMITMENT REFERRALS BY MNDOC, 1991 THROUGH 2011 (As of 10-24-2012)

* Petition continued indefinitely

(+) Sum total of these 4 columns, divided by "Referred" equals "Total Petitions Filed %"

| Year | Referred | Committed | Hold | Did Not | Under | Petition(s) | No | Active | Total | Committed |
|----------|-------------|-----------|-------|---------|--------|-------------|----------|------------------------|-----------|---------------|
| | (Forwarded) | (+) | Order | Proceed | Review | Dismissed | Response | Petitions Filed | Petitions | (%) |
| | | | (+) | | | (+) | | (+) | Filed (%) | |
| 2011 | 88 | 2 | 7 | 47 | 18 | 4 | 8 | 2 | 17% | 2.3% |
| 2010 | 124 | 21 | 2 | 70 | 13 | 11 | 6 | 1 | 28.2% | 16.9% |
| 2009 | 114 | 35 | 2 | 51 | 11 | 14 | 0 | 1 | 45.6% | 30.7% |
| 2008 | 151 | 43 | 0 | 79 | 7 | 22 | 0 | 0 | 43% | 28.5% |
| 2007 | 150 | 58 | 0 | 57 | 9 | 25 | 0 | 1 | 56% | 38.7% |
| 2006 | 170 | 70 | 2 | 67 | 9 | 22 | 0 | 0 | 55.3% | 41.2% |
| 2005 | 145 | 74 | 0 | 54 | 2 | 15 | 0 | 0 | 61.4% | 51.0% |
| 2004 | 170 | 88 | 1 | 52 | 6 | 23 | 0 | 0 | 65.9% | 51.8% |
| 2003 | 14 | 11 | 0 | 2 | 0 | 1 | 0 | 0 | 85.7% | 78.6% |
| Dec 2003 | 236 | 70 | 0 | 142 | 10 | 13 | 0 | 1* | 35.6% | 29.7% |
| 2002 | 13 | 9 | 0 | 1 | 0 | 3 | 0 | 0 | 92.3% | 69.2 % |
| 2001 | 8 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 100% | 100% |
| 2000 | 30 | 19 | 0 | 11 | 0 | 0 | 0 | 0 | 63.3% | 63.3% |
| 1999 | 32 | 25 | 0 | 4 | 2 | 0 | 0 | 1 | 81.2% | 78.1% |
| 1998 | 43 | 19 | 0 | 21 | 2 | 0 | 0 | 1 | 46.5% | 44.1% |
| 1997 | 58 | 28 | 0 | 29 | 1 | 0 | 0 | 0 | 48.2% | 48.2% |
| 1996 | 19 | 14 | 0 | 5 | 0 | 0 | 0 | 0 | 73.6% | 73.6% |
| 1995 | 19 | 12 | 0 | 7 | 0 | 0 | 0 | 0 | 63.1% | 63.1% |
| 1994 | 29 | 13 | 0 | 16 | 0 | 0 | 0 | 0 | 44.8% | 44.8% |
| 1993 | 38 | 27 | 0 | 11 | 0 | 0 | 0 | 0 | 71% | 71% |
| 1992 | 23 | 19 | 0 | 4 | 0 | 0 | 0 | 0 | 82.6% | 82.6% |
| 1991 | 6 | 4 | 0 | 2 | 0 | 0 | 0 | 0 | 66% | 66% |

This data is derived by MnDOC through media reports, reports from DHS, and county attorneys. The comprehensive accuracy of this data cannot be ascertained by MnDOC. This spreadsheet (dated 10-24-2012) does not include most recent information from several county attorneys.

PREDATORY OFFENDER REGISTRATION

Minn. Stat. 243.166 and 243.167

--The registration process and database management is done by the Minnesota Bureau of Criminal Apprehension (BCA).

--There are approximately 17,500 predatory offenders actively registered.

--The BCA operates a public website for those offenders who are non-compliant with registration requirements at: <u>https://por.state.mn.us/OffenderSearch.aspx</u>

--Information regarding registrants who are compliant with registration is not public.

--Offenders who are required to register and are released from confinement in a state correctional facility or treatment facility are assigned community notification risk level by the Department of Corrections.

--Offenders are required to register for 10 years or the length of supervision period, whichever is longer. Some offenders are required to register for life. For those with a 10-year registration requirement, a return to incarceration starts the registration period over.

ASSIGNING COMMUNITY NOTIFICATION RISK LEVELS

Minn Stat. 244.052

--Assigning risk levels is the responsibility of the Department of Corrections.

--An End of Confinement Review Committee (ECRC) is a committee composed of five (5) individuals:

- CEO of the facility or designee
- Case Manager experienced in sex offender management
- Sex Offender treatment professional
- Victim Services representative
- Law Enforcement representative
- --There is an ECRC in each of the eight (8) adult correctional facilities, one in Department of Correction's central office and one in DHS State Operated Services.

--ECRC Process:

- Psychologist reviews file; produces a risk level recommendation for the committee. The psychologist bases the recommendation from an actuarial risk assessment instrument called Minnesota Sex Offender Screening Tool-3.1 (MnSOST-3.1). (see next page for more detail on actuaries)
- Psychologist attends the ECRC meeting and presents the recommendation.
- The offender has the right to attend the meeting and state his/her opinion.
- The committee assigns the risk level by majority vote.
- Offender who is assigned risk level 2 or 3 has the right to appeal the risk level to administrative law judge.

| | | | - | |
|------|-----------------------------|--------------|--------------|--------------|
| Year | Risk Levels Assigned | Risk Level 3 | Risk Level 2 | Risk Level 1 |
| 2011 | 885 | 118 | 257 | 509 |
| 2010 | 860 | 107 | 277 | 476 |
| 2009 | 722 | 109 | 208 | 405 |

PRODUCTION

SEX OFFENDER RISK ASSESSMENT ACTUARIAL

The Minnesota Department of Corrections uses two actuarial instruments in the SPP/SDP Screening process. The Static 99R and the Minnesota Sex Offender Screening Tool 3.1 (MnSOST-3.1). The Static 99-R is the most commonly used instrument in the world. It was originally developed in Canada and has been cross validated in the United Kingdom, United States, New Zealand and has been translated in multiple languages. The developers continue to work on research and improvements of the instrument. The MnSOST-3.1 has been developed by the MnDOC as an advancement of previous instruments developed by the MnDOC.

MnSOST-3.1

- The MnSOST-3.1 was developed on a sample of 2,535 sex offenders released from Minnesota prisons.
- The MnSOST-3.1 has been validated on Minnesota sex offenders.
- The instrument has a relatively high degree of accuracy in predicting sexual recidivism.
- The MnSOST-3.1 is a well-calibrated instrument; it provides a valid assessment of absolute sexual recidivism risk.
- Results showed the MnSOST-3.1 can be scored with a sufficient degree of consistency across raters.

Application to MSOP population:

- To further cross-check its predictive validity, more than 100 sex offenders who were later civilly committed were scored on the MnSOST-3.1.
- If these sex offenders had been released to the community, it is estimated that their four-year sexual recidivism rate would have been 9 percent.
- Additional analyses suggest that the estimated lifetime sexual recidivism rate for these sex offenders would be 28 percent if released to the community.

SEX OFFENDER RISK ASSESSMENT ACTUARIAL...(CONTINUED)

The revised MnSOST-R is called the MnSOST-3.1. Much work on this project was accomplished by many RA/CN staff during 2011. Dr. Grant Duwe (Research unit) and Dr. Pamela Freske (RA/CN unit) had their article on development of the instrument published in the August 2012 journal "Sexual Abuse: A Journal of Research and Treatment." The Abstract from that article is provided below:

<u>ABSTRACT</u>:

This study presents the results from efforts to revise the Minnesota Sex Offender Screening Tool-Revised (MnSOST-R), one of the most widely used sex offender risk assessment tools. The updated instrument, the MnSOST-3, contains nine individual items, six of which are new. The population for this study consisted of the cross-validation sample for the MnSOST-R (N = 220) and a contemporary sample of 2,315 sex offenders released from Minnesota prisons between 2003 and 2006. To score and select items for the MnSOST-3, we used predicted probabilities generated from a multiple logistic regression model. We used bootstrap resampling to not only refine our selection of predictors, but also to internally validate the model. The results indicate the MnSOST-3 has a relatively high level of predictive discrimination, as evidenced by an apparent AUC of .821 and an optimism-corrected AUC of .796. The findings show the MnSOST-3 is well calibrated with actual recidivism rates for all but the highest risk offenders. Although estimating a penalized maximum likelihood model did not improve the overall calibration, the results suggest the MnSOST-3 may still be useful in helping identify high-risk offenders whose sexual recidivism risk exceeds 50 percent. Results from an inter-rater reliability assessment indicate the instrument, which is scored in a Microsoft Excel application, has an adequate degree of consistency across raters (ICC = .83 for both consistency and absolute agreement).

The Department implemented use of the MnSOST-3 in the risk level assignment process and the SPP/SDP screening process on January 2, 2012. All RA/CN assessors have completed the training and have been issued certificates of completion. It is DOC position that a valid MnSOST-3 score can be obtained only by individuals who have completed the training and received a completion certificate from DOC.

Further information available at: http://www.doc.state.mn.us/publications/MnSOST3/default.htm

COMMUNITY NOTIFICATION

Minn. Stat. 244.052

--Process

- DOC assigns the risk level and provides notification information and materials to local law enforcement agencies.
- Local law enforcement is responsible for community notification.
- DOC also informs law enforcement every time an offender moves from one locale to another for as long as the offender is required to register.
- DOC monitors approximately 10,000 active cases and initiates community notification when an offender moves.
- DOC assists local law enforcement in community notification including coordinating Level 3 community meetings.
- DOC operates a public Level 3 website as a service to law enforcement. 500,000 to 750,000 hits per year.
- Risk levels and notification also apply to predatory offenders released from DHS facilities as well as those released from federal facilities with intent to reside in Minnesota and those who move to Minnesota from other states.

--Who is notified?

• Risk level 1:

Law Enforcement may disclose information within agency, to other law enforcement agencies, and to victims or witnesses to the offense. They shall disclose to victims who have requested notification or those designated by the prosecuting attorney and adult members of offender's household.

• Risk level 2:

In addition to risk level 1 notification, law enforcement may disclose information to agencies and groups that the offender is likely to encounter for the purpose of securing those institutions and protecting individuals in their care while they are on, or near the premises. The agency may also disclose to individuals the agency believes are likely to be victimized by the offender. The agency's belief shall be based on offender's pattern of offending or victim preference.

COMMUNITY NOTIFICATION...(CONTINUED**)**

• Risk level 3:

In addition to risk level 1 and risk level 2 notifications, law enforcement shall disclose to other members of the community whom the offender is likely to encounter unless the agency determines public safety would be compromised by the disclosure. Broad community notification is most often done through a public meeting and other means of public notification and media releases. Information must also be posted on a public notification website maintained by the Department of Corrections.

Additional notification aspects:

--When an offender resides in a DOC or DHS licensed residential facility with staff trained in the supervision of sex offenders, public notification does not apply until the offender leaves the residential facility. Broad public notification is done though for those committed as SPP or SDP even if they live in one of these licensed facilities and regardless of risk level assignment.

--Additionally, notification to all adult residents of a DHS or Department of Health licensed facility is required regardless of risk level assignment.

--Production:

- Level 3 meetings: approximately 50 per year (excluding those held in Minneapolis, St. Paul, Duluth, and Rochester).
- DOC also conducts several public information presentations focused on increasing public safety knowledge about sex offenders in the community.
- Number of address changes that required notification to law enforcement:

| Year | Number |
|------|--------|
| 2011 | 8960 |
| 2010 | 8312 |
| 2009 | 8262 |

COMMUNITY NOTIFICATION...(CONTINUED**)**

--Outcome:

A 2008 study by DOC concluded broad community notification reduced sexual recidivism of the Level 3 offenders. Most studies in other states have not shown an impact on recidivism. This may be due to Minnesota's use of graduated community notification based on risk level which is determined by empirical risk assessment process assessment.

Study Title: Megan's law in Minnesota: The Impact of Community Notification on Sex Offender Recidivism.

Available at: http://www.doc.state.mn.us/publications/publications.htm

Level 3 and Civil Commitment:

The designation Risk Level 3 is based on factors outlined in Minn. Stat. 244.052 whereas criteria for civil commitment as SPP/SDP are addressed in Minn. Stat. 253B and associated case law. Some Level 3 offenders are not civilly committed and some offenders with risk level 1 and 2 are committed.

SEX OFFENDER SUPERVISION IN THE COMMUNITY

-- Delivery Systems:

- MnDOC counties 55 counties
- Community Corrections Act counties (CCA): 32 counties

MnDOC Supervised Release Snapshot on October 23, 2012:

- 1218 Number of sex offenders under supervised release in Minnesota with a governing sentence of Criminal Sexual Conduct on 12-31-2011. (Probation Survey Report 2011)
- 506 Number of sex offenders under supervised release and supervised by MnDOC. (2011 Probation Survey)
- 225 Sex offenders supervised by MnDOC on Intensive Supervised Release (ISR) on 10-03-2012. 64 non-sex offenders on ISR. (DOC records).
- 280 Approximate number of sex offenders supervised under Enhanced Supervision or Traditional Supervision by MnDOC.

--Case Loads:

- Non –ISR sex offender specific probation and supervised release: 25-30 per agent not to exceed 40.
- ISR: 30 offenders per 2 agent team. (governed by Minn. Stat. 244.15) Level 3 offenders are required by statute to serve ISR for life. Without additional agents, this requirement will limit ISR to Level 3 offenders only; and at some point in the future, the number of Level 3 offenders will exceed the capacity of the ISR program.

--Description of ISR Program:

One year program minimum, divided into four phases:

PHASE 1: ISR

- House Arrest
- 4 face to face contacts with agent per week

SEX OFFENDER SUPERVISION IN THE COMMUNITY...(CONTINUED)

- Weekly random urinalysis and breath tests
- 40 hours week constructive activity.

PHASE 2: ISR

- Modified House Arrest
- 2 face to face contacts per week
- Random UA and breath tests twice monthly
- 40 hours week constructive activity

PHASE 3: ISR

- Daily Curfew
- 1 face to face per week
- Random UA and breath tests as determined by ISR agent
- 40 hours a week constructive activity

PHASE 4: ISR

- Daily Curfew
- 2 face to face per month
- Random UA and breath test as determined by ISR agent
- 40 hours a week constructive activity

SEX OFFENDER SUPERVISION IN THE COMMUNITY...(CONTINUED)

--Outcome:

Several studies indicate a significant reduction in sexual recidivism in the past 20 years. It is very likely that advancements in supervision practices have contributed to the reduction in recidivism. In the development of the risk assessment actuarial (MnSOST-3), it was determined that release of an offender from incarceration at expiration of sentence (no supervision in community) is one factor that increases risk to reoffend.

http://www.doc.state.mn.us/publications/MnSOST3/default.htm

SEX OFFENDER TREATMENT IN THE COMMUNITY

Minn. Stat. 241.67 Subd.1, Subd.3 (b), Subd.8 and Minn. Stat. 242.195 Subd.1

--MnDOC provides funding through an RFP process to community based sex offender treatment programs:

In 2011, \$2,397,000.00 was appropriated for this funding. This funding was distributed to 18 providers -- 13 of them provide services to adult offenders. These 13 adult providers provide services at approximately 37 sites scattered across Minnesota. Most offenders in the state have access to services within a one-hour drive. In more rural areas of the state, the distance to the program impacts an offender's progress in treatment due to transportation expenses and weather related travel concerns.

Additional funding for this program was obtained from: (approximate)

| Offender co-pays | \$883,184.00 |
|-----------------------------|---------------|
| Offender Insurance: | \$207,943.00 |
| County Corrections Agencies | \$ 90,183.00. |

Offenders served: 2,049 Approximate cost to State per offender: \$ 1,074.00

There are treatment waiting lists in many programs. Other programs report full and overfull treatment groups. Occasionally, an outstate area will be without treatment programming due to the difficulty in recruitment and keeping qualified therapists in outstate locales. Some offenders fail to pay the required co-pay and are delayed or terminated from treatment.

HOUSING IN THE COMMUNITY

Studies show that residential instability is associated with increased recidivism:

- In Georgia, residential instability was found to be a robust predictor of reoffending; the likelihood of re-arrest increased by 25% each time a parolee moved. (Meredith, Speir, Johnson, & Hull, 2003).
- Released prisoners living in temporary shelters in New York were more likely to use drugs and alcohol, to be unemployed, and to abscond from probation or parole. (Nelson, Deess, & Allen, 1999).
- An unstable living arrangement was the strongest predictor (r = .29) of parole absconding in a sample of over 4,000 parolees in California. (Williams, McShane, & Dolny, 2000).
- National sample (n = 2,030): Probationers who moved more than once during probation were almost twice as likely to have had a disciplinary hearing. (Schulenberg, 2007).

HOUSING

- Halfway Houses for Transition
- Scattered Site Housing for Transition
- Emergency Find for Short Term Transition
- Offender Resources
- Homeless/Return to Incarceration