In the Matter of the Civil Commitment of: EJM

An occasion for a LRA in Olmsted County and why it did not work.

Sex Offender Civil Commitment
Advisory Task Force

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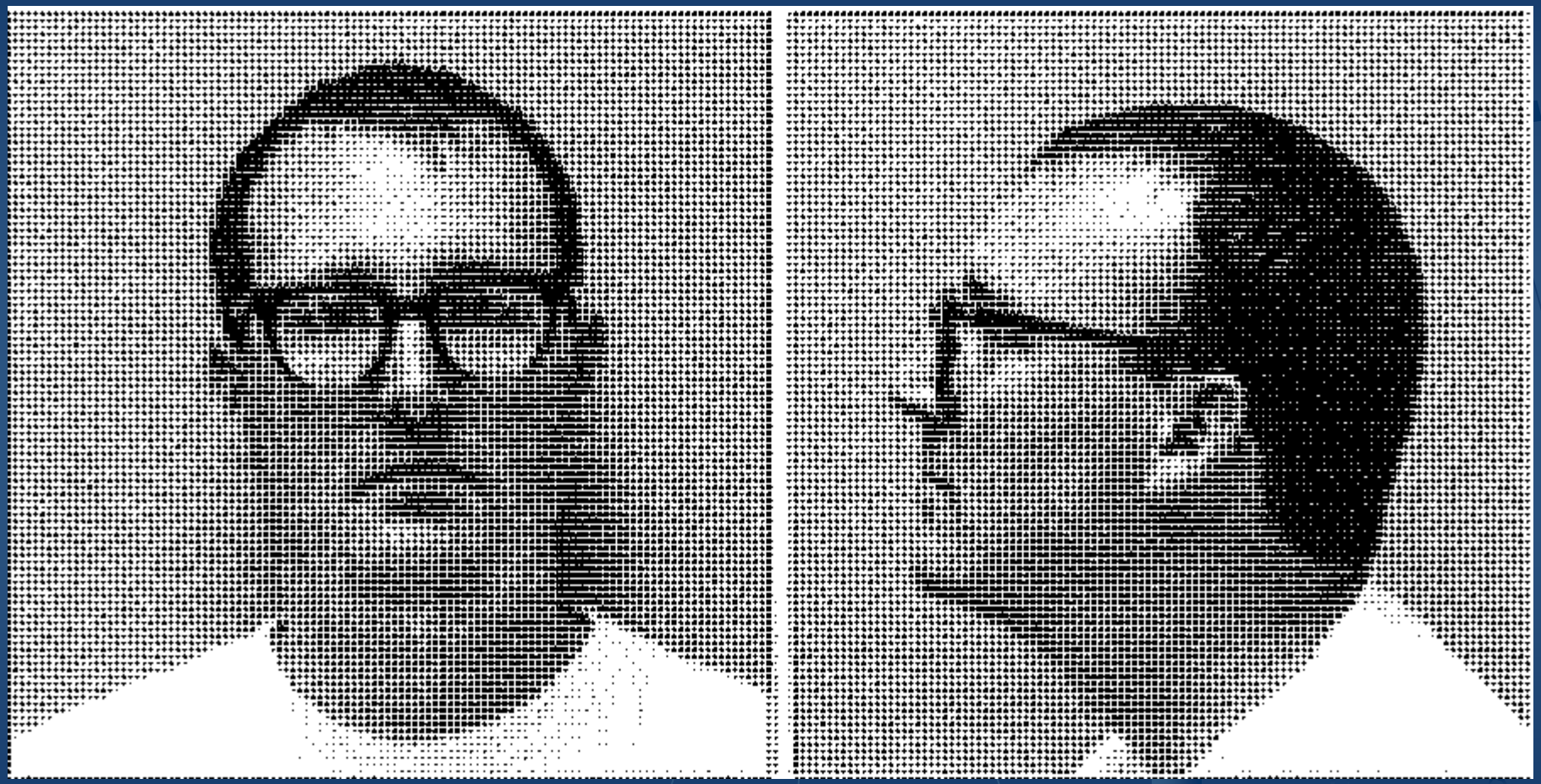


Criminal Sexual History:

Juvenile:

Age 13-assaulted 9 y.o. sister (adjudicated delinquent)*
Age 13-assaulted 5-6 y.o. non-relative boy (not reported/prosecuted/violation of probation)
Age 13-assaulted 7-8 y.o. non-relative girl (not reported/prosecuted/vop)
Age 13-asked 10 y.o. girl to take clothes off (not reported/prosecuted/vop)
Age 17-asked 8 y.o. girl to take clothes off (not reported/prosecuted/vop)
Age 19-asked two young girls to take clothes off (not reported/prosecuted/vop)
Age 19-hanging out at school dance for 4-6th graders (vop-committed to DOC/Red Wing)

Adult:

Age 22-asked 5 y.o. girl to take clothes off (not reported/prosecuted)
Age 22-assaulted 4 y.o. niece-pled guilty-placed on probation*
Age 26-significant grooming behaviors with young children

Sex offender treatment:

Local:

Age 13-began SOTP

Age 17-terminated from local SOTP/sent to Mille Lacs Academy for SOTP-released at age 18 to aftercare

Age 18-committed to Red Wing but not enough time for SOTP

Age 22-outpatient SOTP

Age 26-terminated from local SOTP-significant grooming behaviors with young children-committed to DOC

Age 27- “begins” SOTP at DOC-terminated at end of confinement

Incarceration History:

2000-MCF-Redwing

2006-2012-DOC

Diagnosis:

Pedophilia-attracted to both sexes

Other Interesting Facts:

- EJM's father sexually abused EJM as a child and has been civilly committed (SPP/SDP)
- At age 19 EJM released from Red Wing under no supervision
- At age 22 EJM is living with a vulnerable female adult with 2 young children
- While in DOC initiates relationship with vulnerable adult female with young children

Civil Commitment Referral/Petitions:

2006-Referral from DOC

ECRC Level 2

2007-Petition filed/dismissed

examiner-does not meet criteria

ISR-SOTP

2008-violations-returned to DOC

2009-Referral from DOC

2009-Petition filed/dismissed

same examiner-meets criteria

agreement to extend confinement for SOTP

2011-Referral from DOC

ECRC Level 3

Petition not filed-agreement to extend confinement for SOTP

EJM in regular phone contact with vulnerable female with young children

2012-Petition filed

“apparent determination to remain deceitful regarding significant, unhealthy relationships is very concerning.” DOC caseworker.

The Problem

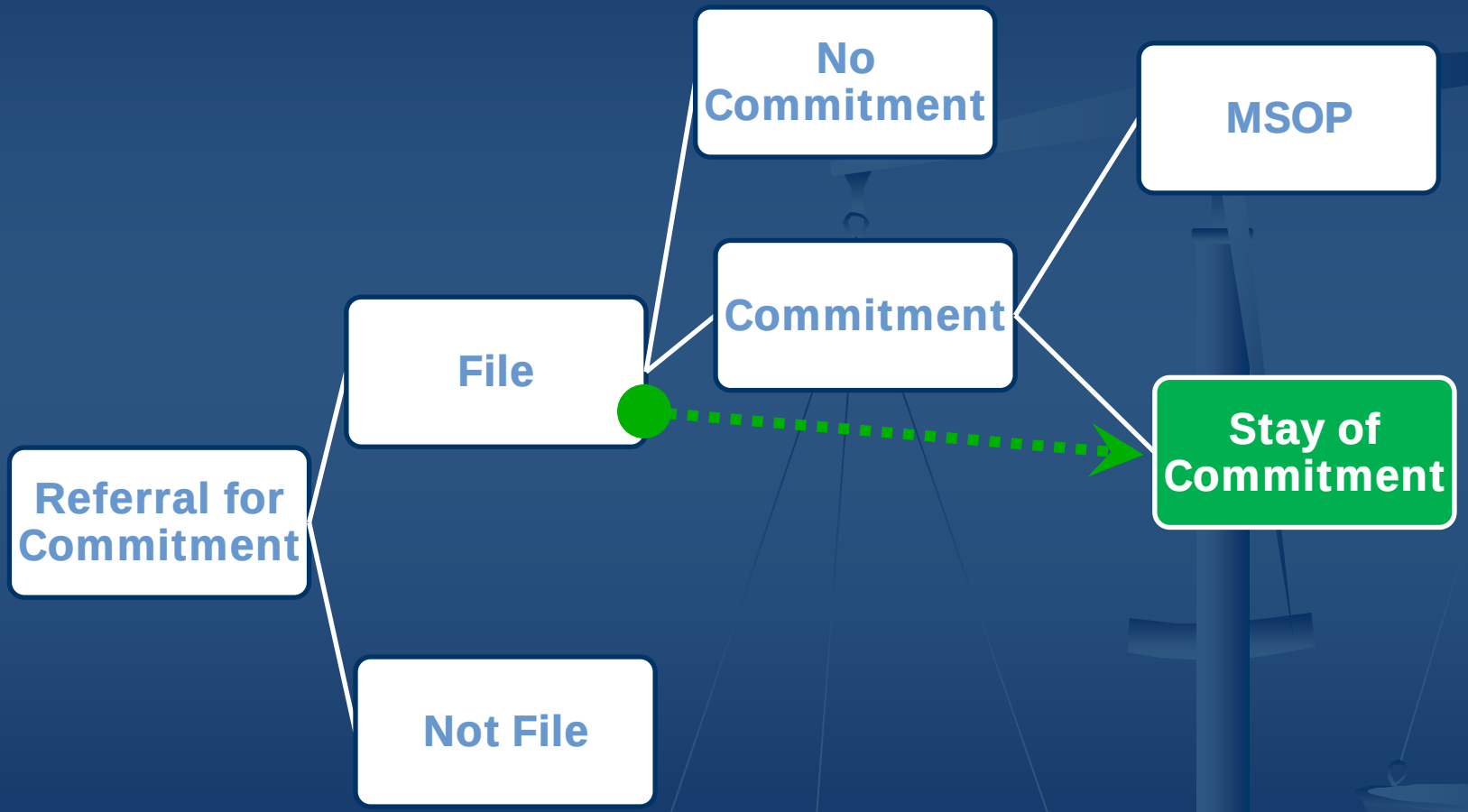
- The problem for Olmsted County
- The problem for MSOP
- The Proposed Solution
  - Appropriate Candidates
  - Appropriate Court Disposition
  - Appropriate Restrictive Residence
  - Appropriate Supervision
  - Appropriate SOTP
  - Appropriate Sanctions
  - Appropriate Cost

The Solution

Create a Local
Lesser Restrictive Alternative

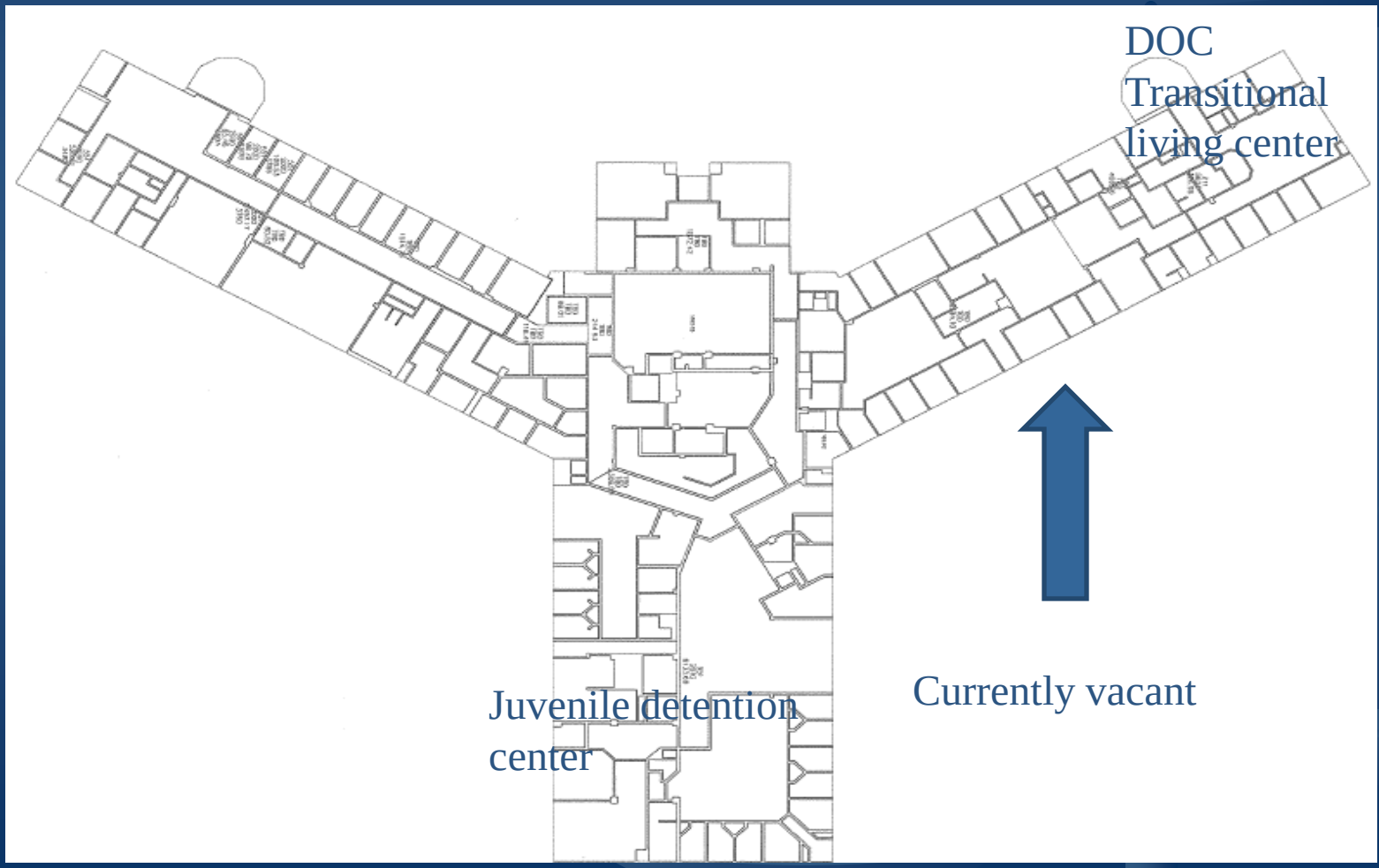
- Must be consistent with both:
  - Treatment Needs of Offenders
  - Community Safety Needs

Stay of Commitment Option



Residential component

2118 Campus Dr SE Rochester, Mn 55904



In Facility Security

- “Level 3 ISR like,” supervision
- 24 hour awake staff
- Supervision techniques
  - Home Monitoring/ Restrictive Building
  - Alarm on doors
  - GPS
  - Polygraph
  - Limit/Deny Internet access
  - Daily schedule(24 hour accountability)
    - Checked up on by DFO through;
      - Office contacts
      - Family contacts
      - Person to Person Contacts

Supervision component

Intensive Supervised Release-like supervision

- Curfews
- Adhere to 24hour accountability daily schedule
- Active Global Positioning System monitoring
- No direct or indirect contact with minors
- No relationship with vulnerable females
- No employment that will bring into contact with minors or vulnerable adults
- No dangerous weapons
- Submit to supervision polygraph testing
- No pornography
- No internet access
- No alcohol or mood altering drugs/substances w/o Dr.
- Submit to chemical testing
- Remain law abiding
- Sign release of information

Treatment component

In-Patient Intensive Sex Offender Treatment

Similar in concept to Alpha Human Services

Program Costs

- Building Rent
- Security/ GPS Devices
- Designing Treatment Program
- Staff (24 hour awake staffing)
  - Security
  - Treatment

Why Didn't it Work?

- The proposed location is not currently being used and will need renovation
  - An alternative location is directly across the street from a large apartment building-not appropriate
- 24 hour awake staff at the proposed location is not currently available and would need to be hired
- In-patient sex offender treatment provider is not available in Olmsted County
  - We attempted to create an appropriate intensive outpatient SOTP but the conditions suggested by the provider were impossible to meet short term
  - ISR Supervision was not available in Hennepin County
- ISR Agents in Olmsted have a full case load and an additional FTE would be required to provide supervision

Ultimately the costs for a local LRA were greater than the local costs for MSOP

We haven’t given up.
We currently have 12 Sex Offender Civil Commitment Referrals under review.

Mark A. Ostrem

Olmsted County Attorney

Thank You