

ORDER

WHEREAS, pending before the United States District Court for the District of Minnesota is a civil action captioned *Karsjens et al. vs. Jesson et al.* (Civ. No. 11-3659) in which the undersigned and other state officials are named as defendants; and,

WHEREAS, the First Amended Complaint in that matter makes various constitutional claims involving the Minnesota Sex Offender Program and Minnesota statutes and processes for civil commitment of sex offenders; and,

WHEREAS, on July 24, 2012, the court in *Karsjens* issued an order certifying that case as a class action; and,

WHEREAS, on August 15, 2012, the court in that matter issued an order stating that "The Court recognizes that issues relating to the processes for sex offender civil commitment, reductions in custody, and less restrictive alternatives to sex offender civil commitment in secure treatment facilities are processes that may be addressed through further study and consensus by use of a task force"; and,

WHEREAS, the court's August 15 order directed the undersigned to create an advisory task force to examine and provide recommended legislative proposals on:

- The civil commitment and referral process for sex offenders;
- Sex offender civil commitment options that are less restrictive than placement in a secure treatment facility; and
- The standards and processes for the reduction in custody for civilly committed sex offenders.

along with "any other topics [the task force] deems necessary to adequately address the area of sex offender civil commitment"; and,

WHEREAS, I intend to comply with the court's order; and,

WHEREAS, a commissioner of a department is authorized by Minnesota Statutes section 15.014, subdivision 2, to create an advisory task force.

Therefore, IT IS HEREBY ORDERED that:

1. An advisory task force is hereby created, pursuant to Minnesota Statutes section 15.014, to be known as the "Sex Offender Civil Commitment Advisory Task Force" ("Task Force").
2. The Task Force shall have up to 15 members, appointed as provided by Minnesota Statutes section 15.0597.
3. To the extent possible, membership of the Task Force shall be of those knowledgeable of the sex offender civil commitment process and the Minnesota Sex Offender Program, including:
 - a. Current and former state legislators
 - b. Active or retired Minnesota County Attorneys
 - c. Active or retired Minnesota State Court judges
 - d. Active or retired Minnesota law enforcement personnel
 - e. Attorneys licensed in the State of Minnesota that represent or have represented patients or sex offenders
 - f. The Minnesota Ombudsman for mental health
 - g. Victim advocates
 - h. Sex offender treatment professionals
 - i. Minnesota Department of Corrections
 - j. Minnesota County Commissioners
 - k. Minnesota County Adult Social Services
 - l. Academic Professionals
4. The Task Force shall expire two years after the appointment of the first member or members.
5. Organizational support for the Task Force shall be provided by the Department of Human Service's Minnesota Sex Offender Program and Legal Management Office and other Department resources as necessary to accomplish its work.
6. On or before December 3, 2012, the Task Force shall provide the undersigned with recommendations on less restrictive alternatives to placement of civilly committed sex offenders in secure treatment facilities and shall further provide a schedule setting forth its work on each of the remaining topics and any other topics it deems necessary to adequately address the area of sex offender civil commitment. The schedule shall specify the date(s) by which the Task Force will deliver further recommended legislative reforms.

s/ Lucinda E. Jesson
LUCINDA E. JESSON
Commissioner

August 21, 2012