

MSOP DEPARTURE

Minnesota Sex Offender Program

Issue Date: 2/7/23 Effective Date: 3/7/23 Policy Number: 230-5100

POLICY: Once admitted to the Minnesota Sex Offender Program (MSOP), clients only depart or transfer from the program as authorized in state statute and consistent with this policy. Clients must follow Minn. Stat. § 253B.18 to request transfer from a secure treatment facility, provisional discharge or discharge from civil commitment.

AUTHORITY: Minn. Rule Chap. 9515
Minn. Rule Chap. 4665
Minn. Stat. § 246.13

APPLICABILITY: MSOP, program-wide

PURPOSE: To outline the process for completing approved client departures and program transfers from the MSOP, the responsibilities of identified staff and the required time frames for task completion.

DEFINITIONS:

Risk Assessment/Community Notification Unit (RA/CN) – the Minnesota Department of Corrections (DOC) unit responsible for notifying law enforcement when a client departs or transfers from the MSOP.

Types of MSOP departures:

1. Program Departure:
 - a) Amended Judicial Hold – the court modifies a client’s judicial hold order, placing the client in the care and custody of a local detention center or the DOC.
 - b) Court Order Discharging from Civil Commitment – the court orders discharge of a client’s civil commitment.
 - c) Court Order Dismissal – a court dismisses the petition for civil commitment or dismisses the hold order while the civil commitment is pending.
 - d) Client Death.
2. Program Transfer – the client has transferred to another agency, program or location and is removed from the MSOP facility count but remains under commitment as a Sexually Dangerous Person/Sexual Psychopathic Personality (SDP/SPP).
 - a) New Criminal Sentence – a court sentences a client on a new criminal charge resulting in a transfer to the DOC, Federal Prison, or a detention facility.
 - b) Provisional Discharge – client is granted a provisional discharge from the client's commitment by the Commitment Appeal Panel (CAP).
 - c) Revocation –the DOC Hearings and Release Unit revokes a client from the MSOP to serve additional incarceration time for violating the client’s conditions of release.
 - d) Discharge to other Department of Human Services (DHS) programs (e.g., Forensic Nursing Home).

PROCEDURES:

- A. Notification and verification of pending departure - MSOP staff must notify the MSOP Admissions Coordinator/designee of all pending departure notices and forward all departure notices.
1. For program departures, the MSOP Admissions Coordinator/designee:
 - a) receives information from county court administrators, county attorney's offices, the facility officer of the day, or the Attorney General's Office; and
 - b) verifies all court orders with the appropriate authority prior to the client's departure.
 2. For program transfers such as: new criminal sentence, revocation, or provisional discharge, the MSOP Admissions Coordinator/designee:
 - a) receives and verifies all orders including but not limited to transfer orders, sentencing orders, dispositional orders and warrants of commit with the appropriate authority;
 - b) verifies transport of the client; and
 - c) mails a Detainer Letter (230-5100d) to the DOC or county jail for transfers such as new criminal sentence and revocation, and retains a copy.
 3. Upon notification of a transfer to other Department of Human Services program (e.g., Forensic Nursing Home), the MSOP Health Services Director/designee notifies the MSOP Admissions Coordinator/designee of the proposed date and time of the client's departure.
- B. Location of client
1. A client residing at MSOP may not physically depart the facility or grounds until all steps in section A above are completed.
 2. If the client is already at another agency, facility or location, the client is not required to return to MSOP to facilitate formal departure; however, staff must follow all other departure procedures.
- C. For all departures, the MSOP Admissions Coordinator/designee:
1. enters the pending departure into Phoenix;
 2. originates the Departure/Transfer Authorization (230-5100a-1011) and forwards to the facility security director/designee or Community Preparation Services (CPS) Director/designee (for departing CPS clients) for approval; and
 3. forwards applicable documents to Health Information Management Services (HIMS) for filing and disposition in the record.
- D. For all departures, the Legal and Records support staff/designee completes and electronically files the Change of Status Report (230-5100c-1185) via Odyssey File and Serve; and scans a copy to Direct Care and Treatment (DCT) Financial Services.
- E. The MSOP Admissions Coordinator/designee calls or emails:
1. the RA/CN for clients who have been provisionally discharged or dually committed;
 2. DOC Intensive Supervised Release (ISR) Division for clients on DOC supervision;
 3. the MSOP facility security program manager/designee;

4. the MSOP facility officer of the day (OD);
5. the MSOP Executive Director;
6. the MSOP Deputy Director
7. the MSOP Executive Clinical Director;
8. the MSOP Health Services Director;
9. MSOP Moose Lake or St. Peter facility director;
10. the MSOP Reintegration Director for clients granted a provisional discharge and/or discharge;
11. the MSOP CPS Director and Operations Manager, for departing CPS clients only;
12. the unit group supervisor; and
13. the Office of Special Investigations (OSI) Director.

F. The Unit Group Supervisor:

1. notifies the unit staff, Health Services staff, the client resource coordinator (CRC), Special Services staff and DCT Financial Services staff;
2. discusses expectations of behavior with the client and gathers any safety concerns;
3. forwards any safety concerns to the facility program manager/assistant director and security director; and
4. assigns staff to assist in inventorying and packing the client's property, including any items at the staff station, and collecting the client's room key. (See MSOP Division Policy 420-5250, "Client Property" and MSOP Division Policy 225-5300, "Community Preparation Services Client Property.")

G. The CRC/designee:

1. For program departures - assists the client with gratis calls to arrange transportation or housing if the client does not have a supervising agent, except for client death.
2. For program transfers (except provisional discharge – see MSOP Division Policy 230-5600, "Provisional Discharge Management and Supervision"):
 - a) completes the BCA Change of Information Form with the client, signs as a witness, and sends the form to the Bureau of Criminal Apprehension (BCA); gives a copy to the client and sends the original to HIMS. If the client is unavailable or refuses to complete and sign the BCA Change of Information Form, the CRC completes the form as required by Minn. Stat. § 246.13 subd. 4b and 243.166, indicating the client refused or was unavailable to sign, and follows the same process for distribution.
 - b) asks the client to complete an updated Authorization for Release of Information (ROI), if necessary, for the supervising agent and/or the RA/CN, and forwards to HIMS for filing.

- H. Special Services staff:
1. meet with the client to collect information regarding disposition of the client's property per MSOP Division Policy 420-5250, "Client Property" and MSOP Division Policy 225-5300, "Community Preparation Services Client Property";
 2. update the Phoenix property database;
 3. bring the client's personal documents to the OD; and
 4. forward the client's mail per MSOP Division Policy 420-5030, "Client Mail" section B.3.
- I. Health Services staff follow processes in MSOP Division Policy 310-5180, "Health Services Movement of Clients" and DCT Policy 210-1025, "Client Movement Between DCT Divisions," and deliver the client's Health Services envelope to the OD.
1. Following Health Services completion of the discharge medication requirements and client's final medication pass as outlined in the above policies, staff immediately notify HIMS of the completion of the AVATAR entry to the applicable HIMS distribution list.
 2. HIMS staff then discharge the client in AVATAR.
- J. DCT Financial Services staff:
1. collect and deposit client's scrip or money into the client's account;
 2. process all outstanding financial transactions, including any charges related to shipping the client's property out of the facility; and
 3. forward a check for any remaining balance to the client.
- K. The OD:
1. verifies collection and distribution of all client items and documentation from Health Services, Special Services, and DCT Financial Services, and ensures documentation of all items given to the client upon departure;
 2. e-mails: #DHS_DL_MSOP Admit-Depart Notifications group when the client departs;
 3. delivers the Departure/Transfer Authorization form to Master Control staff or transport staff who:
 - a) verifies the identity of the client leaving the facility with the name and Client Identification number (Client ID#) on the Departure/Transfer Authorization form;
 - b) verifies collection of the client's MSOP ID badge;
 - c) notifies the count coordinator when the client is off the MSOP facility count; and
 - d) completes the Departure/Transfer Authorization form with actual departure date, time and client's signature and forwards the form to HIMS.
- L. Departures from CPS – the CPS operations supervisor/designee completes all tasks outlined in Section J above, with the following exceptions:
1. delivers the Departure/Transfer Authorization form to the CPS count coordinator; and

2. modifies the Global Positioning System (GPS) to accommodate the client's new location.
- M. Upon request from the MSOP facility director, OSI transports a client to any local or county law enforcement center within Minnesota. (See MSOP Division Policy 145-5095, "OSI Transport of Clients.")
- N. The primary therapist completes the Departure/Transfer Summary (230-5100b-1010) within seven calendar days after the client's departure and forwards the completed form to HIMS.
- O. A departing client may submit a request to the MSOP IT liaison to copy the client's electronic files from the client's client network space and send the files to a designated address. MSOP disables the client's account and retains the data on a client's network space for 30 calendar days following a client's departure.
- P. Records and Information Services staff:
1. Prior to the departure, the Records Production staff send the requested client's record to the receiving DHS agency, if applicable (see DCT Policy 210-1025, "Client Movement Between DCT Divisions"); and
 2. The HIMS staff complete all filing and verify the client's record for accuracy within 14 calendar days after departure.
- Q. Client departure or transfer occurs during business hours or is scheduled and coordinated prior to the end of the MSOP Admission Coordinator/designee's shift. If staff receive notification of a potential departure or transfer after hours, the client must remain with MSOP until staff verify the order and coordinate with all areas.

REVIEW: Annually

REFERENCES: MSOP Division Policy 310-5180, "Health Services Movement of Clients"
MSOP Division Policy 215-5260, "Victim Notification"
MSOP Division Policy 420-5250, "Client Property"
MSOP Division Policy 225-5300, "Community Preparation Services Client Property"
MSOP Division Policy 415-5084, "Administrative Restriction Status"
MSOP Division Policy 145-5095, "OSI Transport of Clients"
MSOP Division Policy 420-5030, "Client Mail"
DCT Policy 215-1045, "Duty to Warn"
MSOP Division Policy 415-5010, "Searches - Clients"
MSOP Division Policy 420-5210, "Client Telephone Use"
MSOP Division Policy 120-5600, "Client Computer Network"
DCT Policy 210-1025, "Client Movement Between DCT Divisions"
MSOP Division Policy 230-5600, "Provisional Discharge Management and Supervision"

ATTACHMENTS: Departure/Transfer Authorization (230-5100a-1011)
Departure/Transfer Summary (230-5100b-1010)
Change of Status Report (230-5100c-1185)
Detainer Letter (230-5100d)

BCA Change of Information form (external form)

SUPERSESSON: MSOP Division Policy 230-5100, "MSOP Departure," 2/2/21.

All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

/s/

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