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Civil Commitment and Sex Offenders

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MINNESOTA STATE UNIVERSITY MANKATO

Civil Commitment and Sex Offenders

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Purpose

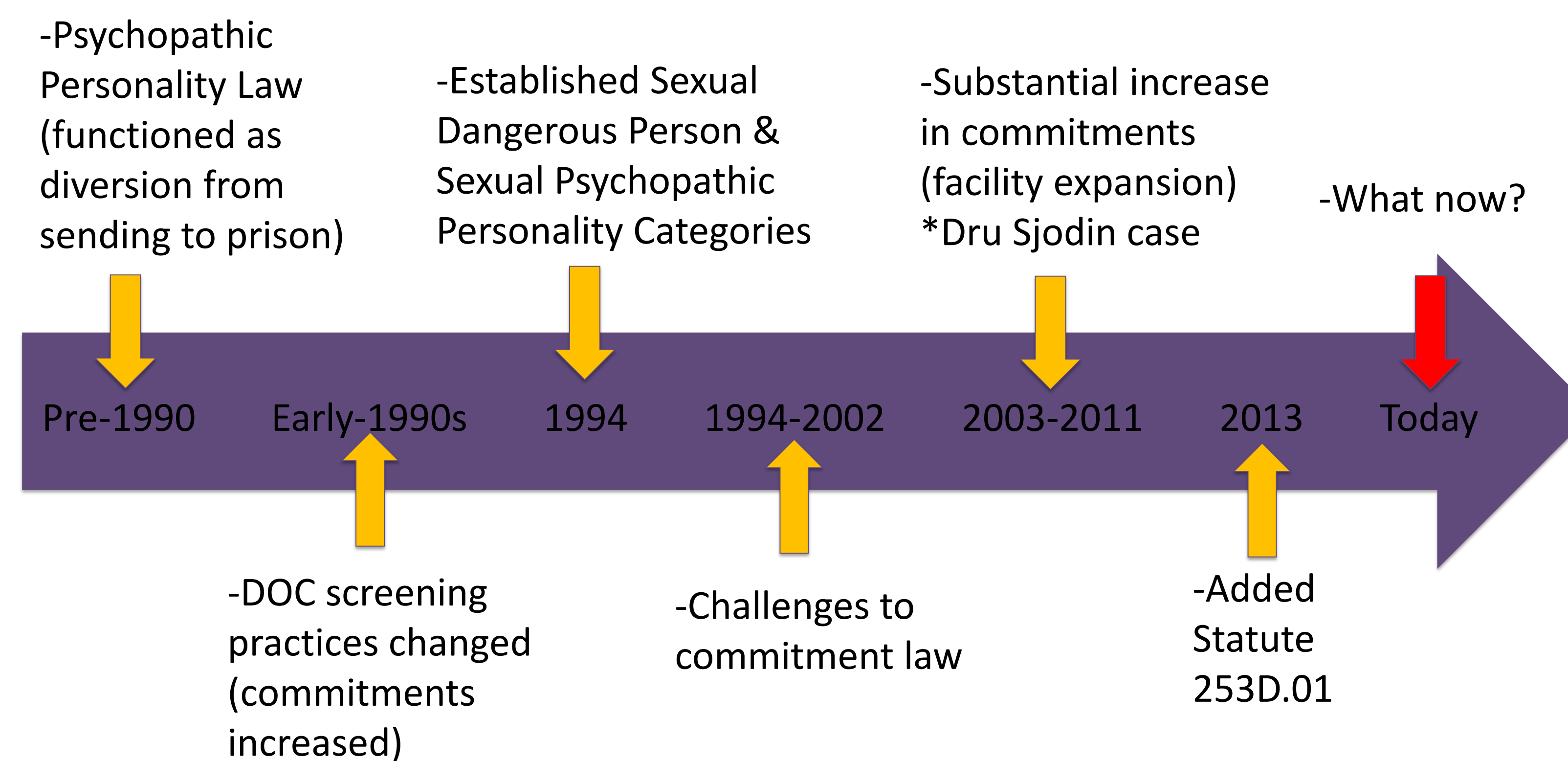
Currently there is insufficient training for staff at the Minnesota Sex Offender Program (MSOP) about the civil commitment process of sex offenders. Thus, the purpose of this Capstone Project is to educate current MSOP staff about the history and important markers that have contributed to the current civil commitment law in Minnesota. Conducting trainings and educating staff are important for maintaining and enhancing the therapeutic environment for clients.¹⁵ Therefore, I hypothesize that educating staff about sex offender's civil commitment will enhance staff knowledge, thus contributing to the quality of the therapeutic relationships and environment at MSOP.

Summary of Literature Review

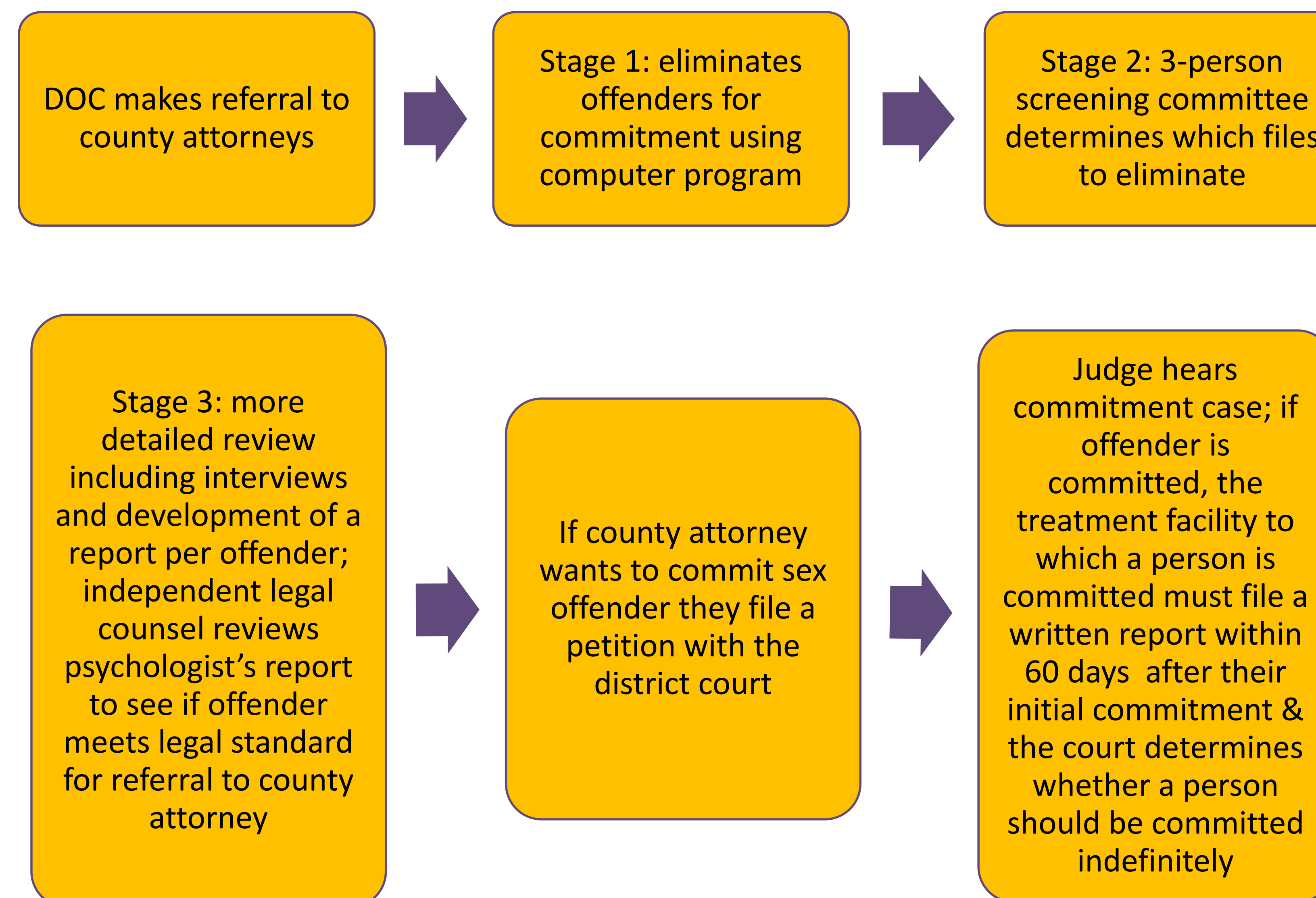
Important markers contributing to the Minnesota Commitment and Treatment Act: Sexual Dangerous Persons and Sexual Psychopathic Personalities

- **1939:** Psychopathic Personality Law was enacted¹¹
- **1991:** Department of Corrections (DOC) began screening sex offenders for possible referral to county attorneys for civil commitment¹¹
- **1994:** Established Sexual Dangerous Persons (SDP) and Sexual Psychopathic Personality (SPP) categories
 - Dennis Darol Linehan: the SDP category was initially created to keep him from being released back into society after the completion of his prison sentence due to the fact that he did not fit criteria in the SPP law⁷
- **1994-2002:** Linehan and many other civilly committed sex offenders continue to appeal their confinement⁶
 - The SDP and SPP laws have survived all challenges thus far
- **2003:** There was a significant increase in the number of sex offenders being referred to county attorneys for possible civil commitment in response to the rape and murder of a college student named Dru Sjodin by an offender named Alfonso Rodriguez, Jr.³
 - He was released from prison; after his release he kidnapped and murdered Dru Sjodin
- **2013:** Added statute 253D.01 (SDP and SPP categories) to separate those civilly committed as mentally ill and dangerous from the same chapter as committed sex offenders¹⁴
- **Today:** MSOP is currently being challenged as unconstitutional due to the fact that offenders are being committed indefinitely and no one is being released
 - Recommended changes include: placement into less restrictive settings (group homes), treating sex offenders in the prison system rather than confining them to costly high security treatment centers, and/or residential housing¹³
- Minnesota's over all goal is to find a balance between maintaining public safety, and ensuring adequate treatment of sex offenders while not violating their constitutional rights

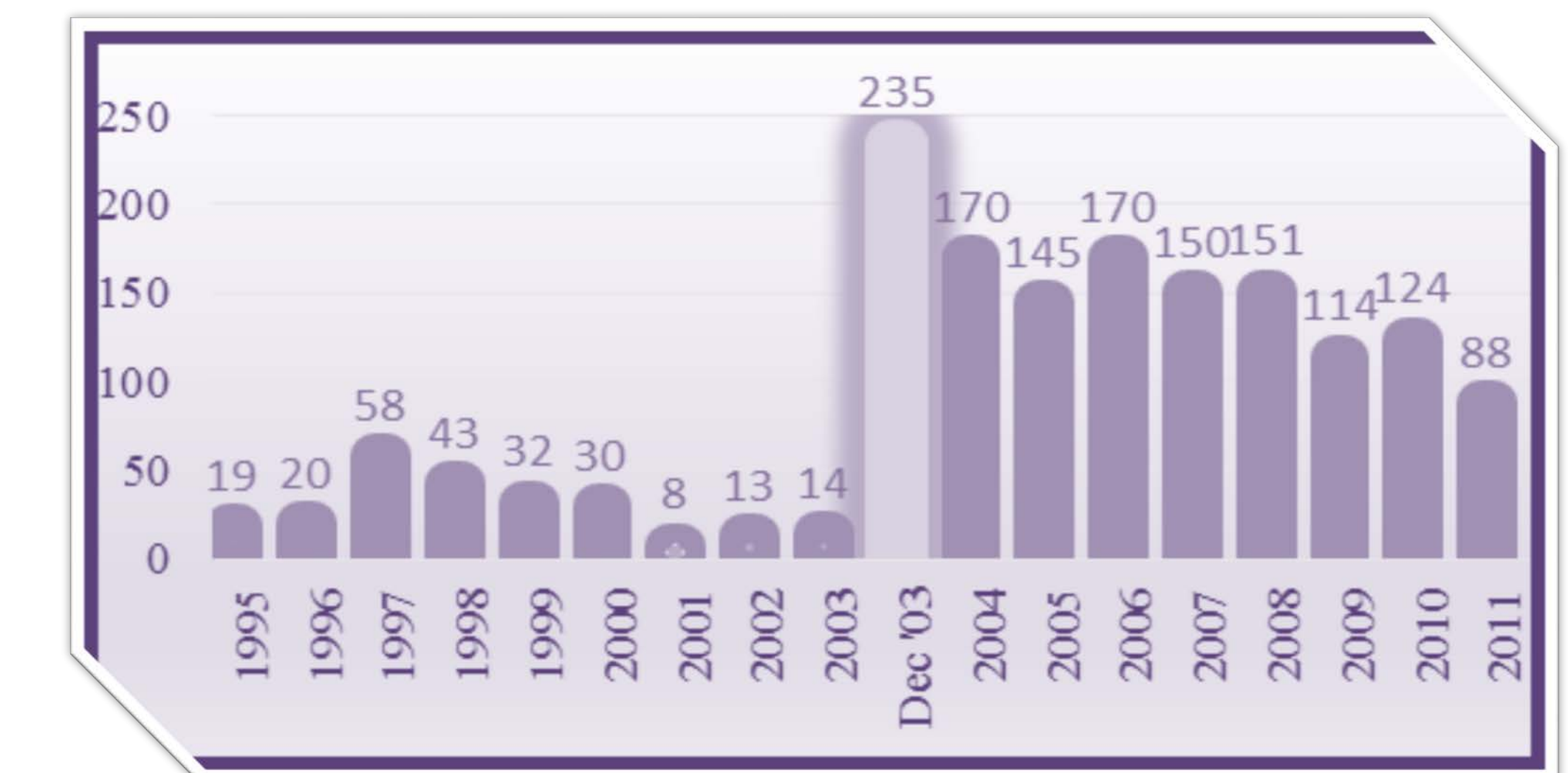
Time Line of Sex Offenders and Civil Commitment in MN¹



The Process of Civilly Committing Sex Offenders⁴



Referral for commitment from the DOC to county attorneys¹



*Note the increase in referrals in 2003 after the murder of Dru Sjodin

Methodology

I conducted a literature review to identify specific markers that have contributed to Minnesota's current civil commitment law. An educational PowerPoint, training manual, and fact sheet were created to educate staff at the Minnesota Sex Offender Program (MSOP).

Key Findings

Curriculum developed for brief 45 min training. Training was piloted and feedback was collected to improve future trainings. Attendees reported increased knowledge which they felt would enhance therapeutic environment.

Discussion

Recommendations:

- Module should become part of regular staff orientation.
- Further comparison between MN's civil commitment law and other states with civil commitment laws would be useful.
- Comparison of costs among states who have civil commitment programs.
- Further discussion about the treatment approaches of the 19 other states with civil commitment laws .

References: available upon request