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## Framing Discrepancies: A Comparison of Sex Offender Notification Meetings Between Minnesota Sex Offender Program and Minnesota Department of Corrections.

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Framing Discrepancies: A Comparison of Sex  
Offender Notification Meetings Between Minnesota  
Sex Offender Program and Minnesota Department  
of Corrections.

By

Justina Bakker

A Thesis Submitted in Partial Fulfillment of the

Requirements for the Degree of

Master of Science

In

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Minnesota State University, Mankato

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Framing Discrepancies: A Comparison of Sex Offender Notification Meetings Between Minnesota Sex Offender Program and Minnesota Department of Corrections.

Justina Bakker

This thesis has been examined and approved by the following members of the student's committee.

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Dr. Barbara Carson - Advisor

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## ABSTRACT

Framing Discrepancies: A Comparison of Sex Offender Notification Meetings Between Minnesota Sex Offender Program and Minnesota Department of Corrections.

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Directed by Dr. Barbara Carson

Master of Science Sociology: Corrections

Minnesota State University Mankato 2019

The purpose of this research was to assess if there are similarities and / or in how sex offender notification meetings are conducted by two different agencies who are not legally bound to assist in these meetings, but provide assistance, upon the release of sex offenders from custody. The agencies are the Minnesota Department of Corrections who release sex offender after their completion of custody sentences and the Minnesota Sex Offender Program who release sex offenders upon completion of treatment.

Interviews were conducted with professional staff from the both agencies. Analyses of the findings of these interviews, along with an investigation of the mission statements of both agencies, find that the two state departments share some similarities but have distinct differences in the overall process of conducting a community notification meeting. Institutional Theory was used to interpret these findings and concluded that maintaining control over the process is more important for one agency than the other, with the intent to protect their public image. Also, while both agencies stated the intent of promoting public safety, one agency was far more involved in this process than the other. Upon conclusions of this study, policy recommendations will be made to help the State of Minnesota meet its legal mandate and enhance community safety.

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## Introduction

In Minnesota, two different state departments share a common goal; conducting community notification meetings when individuals with serious histories of committing sexual assault are to be released into the community. Meetings are held in order to inform the public of potential safety issues and increase awareness (Office of Revisor of the Statutes, §244.052, 2018). These two departments are the Minnesota Department of Corrections (MnDOC) and the Minnesota Sex Offender Program (MSOP). Both agencies aid law enforcement in conducting notification meetings. While law enforcement is statutorily responsible for providing notification upon an individual with a history of serious sexual assault(s) moving into the community, these two state departments have to notify law enforcement when this move is eminent and they provide additional information about each case that will be presented during the notification. The focus of this study is to analyze whether both agencies respond similarly. Such a question is important because the state of Minnesota is utilizing two agencies to conduct equivalent meetings, yet the agencies may be utilizing different tactics and methodology even though they are essentially doing the same thing. There is at least one documented difference; MSOP conducts community notification meetings for all sex offenders regardless if the individual was assigned a risk level of “one”, “two”, or “three” (indicating varied level of threat to the community) whereas the MnDOC is only legally required to promote notification meetings for level “three” offenders, those perceived to

be the highest threat to the community (Office of Revisor of the Statutes, §244.052, 2018).

This study will investigate whether there are other differences between these two organizations in conducting community notification meetings about convicted sex offenders returning to the community. Data will be analyzed to determine if such differences exist, and if so, attempt to understand why they are different. The current research will examine how institutional theory can be used to examine the reasoning for two different organizations doing essentially the same thing. The specific research questions are: 1) Are there differences in how MnDOC and MSOP conduct community notification meetings; and 2) if such differences exist what factors explain these differences? The method for doing this will be to conduct semi-structured interviews with key informants from both MSOP and MnDOC to determine if other differences exist and to understand why. This analysis will also include an analysis of each department's mission statement.

### **History of Community Notification**

National requirements for responding to community notification began with an incident that occurred on October 22, 1989 when an 11-year old Minnesota boy named Jacob Wetterling was abducted while biking home from the convenience store in his hometown of St. Joseph. He was never seen alive again. It was long assumed the boy's abductor was Danny Heinrich, yet there was never enough evidence to proceed with charges (Jacob Wetterling Foundation, 2018). What the family, the city of St. Joseph, and neighboring communities did not know at the time of Jacob's disappearance was that



Danny Heinrich was a convicted sex offender and had been living in a neighboring community about 30 minutes away. Jacob's remains were found 27 years later on a farm in Paynesville, about 30 miles southwest of his disappearance in St. Joseph (Star Tribune, 2016). The abduction became highly publicized throughout the nation, with coverage emphasizing the fact that community members knew nothing of the presence of a serious sex offender living amongst them (Petrunik, 2016). The United States federal government responded to this outcry by implementing the Jacob Wetterling Act of 1994, requiring each state to develop and implement a system for registering and tracking the addresses of convicted sex offenders. The purpose of the act was to help law enforcement maintain public safety and investigate known offenders within close geographic proximity to new sex crime incidents (Zgoba & Miner, 2016).

The Wetterling Act was amended in 1996 following another high-profile case involving a 7-year-old girl, Megan Kanka. Megan lived in New Jersey and was raped and murdered by a twice-convicted sex offender, Jesse Timmendequas, who lived across the street from Megan (Jones & Newborn, 2013). The fact that community residents were unaware convicted sex offenders lived in their neighborhoods rapidly gave rise to a campaign for reform in the law. Megan's Law originally passed in New Jersey. It guaranteed community notification of the presence of a convicted sex offender determined to pose a threat to the public. The level of threat was rated based on a risk assessment completed prior to the offender's release from prison. By 1996, the federal Jacob Wetterling Act was amended to incorporate the community notification process as identified in Megan's Law. Notification procedures can include flyers, door-to-door

visits by police, neighborhood meetings, press release and automated phone calls (Levenson, D'Amora & Hern, 2007; Whitting, Day & Powell, 2016). Megan's Law also required all states to develop sex offender registries, providing both public access to a database and notification to the community regarding registered offenders (Jones et al., 2013; Zgoba et al., 2016).

Together, the Jacob Wetterling Act and Megan's Law require two major informational services. The Jacob Wetterling Act requires convicted sex offenders to register following their release from custody and requires information about the offender be given to law enforcement. Megan's Law requires communities be notified upon the release of a convicted sex offender from custody. By 2000 all states had sex offender registration and community notification laws in place and by 2003 all 50 states had online registries for viewing (Jones et al., 2013; Zgoba et al., 2016).

The Wetterling Act also underwent various other amendments, including the implementation of Prosecutorial Remedies and Other Tools to End the Exploitation of Children Act (PROTECT) by President Bush in 2003. This mandated all states to maintain an actual website that contained sex offender information (Jones et al., 2013). The most dramatic amendment to the Wetterling Act was its replacement in 2006 by the Adam Walsh Act. Adam Walsh was a 7-year-old boy who was abducted from a Sears department store in Hollywood, Florida in 1981. The young boy's remains were found two weeks later and his story became another high-profile case, publicized in national news reports.

The Adam Walsh Act intended to standardize the Sex Offender Registration and Notification Act (SORNA) requirements across states (Zgoba et al., 2016). This Act broadened the scope of categories of offender registration and notification requirements while enhancing the enforcement of state registration and notification policies (Jones et al., 2013). Specifically, the Act specified which sex offenders must register, when they must, the type of information states must gather and distribute about released offenders, and types of punishment for offenders who fail to comply (Wright, 2014). For example, offenders must register within three days of release or within three days of a non-imprisonment sentence (Wright, 2014). Registration includes name (including alias), social security number, address or multiple addresses, employer and address, school (if a student), license plate number and description of any vehicle owned or operated (Wright, 2014). Each state jurisdiction must also have a physical description, convicted offense, criminal history including dates of arrest and conviction and/or correctional release, current photograph, fingerprints and palm prints, DNA sample, photocopy of ID or license, and any other information required by the attorney general (Wright, 2014).

### **Minnesota and Community Notification**

This section will discuss the federal requirements for providing community notification meetings and the statutes by which Minnesota abides to these regulations. This discussion will include proceedings utilized for individuals released from civil commitment by the Minnesota Sex Offender Program (MSOP) and individuals released from incarceration by the Minnesota Department of Corrections (MnDOC). Such

information will be presented to identify the ways in which the two departments differ in their discharge and notification procedures.

To comply with federal mandates, Minnesota employs a committee at each correctional and treatment facility, known as the End of Confinement Review Committee (ECRC) (Office of Revisor of the Statutes, §244.052D.03, 2018). The ECRC personnel consists of the prison warden *or* treatment facility head where the offender is confined; a law enforcement officer; a treatment professional trained in assessing sex offenders; a caseworker experienced in supervising sex offenders; and a victim services professional (State of Minnesota Department of Corrections, 2018). Approximately three to four months prior to an offender's release from prison, this committee meets to discuss and determine the appropriate risk level assigned to an offender, that being the likelihood of recidivism for that offender (State of Minnesota Department of Corrections, 2018). The MnDOC ECRC utilizes evidence-based risk assessments, such as the Minnesota Sex Offender Screening Tool Revised (MnSOST-R), to evaluate sex offenders (State of Minnesota Department of Corrections, 2018). In Minnesota, the MnDOC is statutorily responsible for initially assigning risk levels to sex offenders leaving prison (State of Minnesota Department of Corrections, 2018). Following the completion of required assessments, the ECRC then assigns a risk level to sex offenders. These levels include "one" (low risk), "two" (moderate risk), and "three" (high risk). In assigning a risk level the ECRC considers the seriousness of the offense; the offender's prior offense history; the offender's characteristics, such as response to prior treatment efforts and history of substance abuse; the availability of community support to the offender, such as

therapeutic treatment, a stable and supervised living arrangement, familial and social relationships, and the offender's education or employment stability; whether the offender has indicated, or credible evidence in the record indicates, that the offender will reoffend; and whether the offender demonstrates a physical condition that minimizes risk of re-offense, including but not limited to advanced age or a debilitating illness or physical condition (State of Minnesota Department of Corrections, 2018).

Minnesota's three levels of registry for sex offenders each result in a different notification structure (State of Minnesota Department of Corrections, 2018). Both the MnDOC and the Minnesota Sex Offender Program (MSOP) recognize these levels. Level three offenders are included on the State's online sex offender registry and subject to community notification meetings with residents and business owners in the area of which they will be living (State of Minnesota Department of Corrections, 2018). Level two offenders are not on the registry, but information is shared with schools, child care centers, and other organizations with potential victims (State of Minnesota Department of Corrections, 2018). Level one offenders are the lowest risk level and their information is shared among law enforcement agencies, victims, witnesses, and other individuals designated by the prosecuting attorney (State of Minnesota Department of Corrections, 2018).

### **MnDOC Release vs. MSOP Discharge**

MnDOC and MSOP both release offenders from the facility to the community, however the process is different. This section will briefly describe how offenders are released from MnDOC and MSOP.

MnDOC is required to release offenders to the community following what is called determinant sentencing (Minnesota Department of Corrections, 2018). Under determinant sentencing, felony offenders do not go before a parole board and receive no time off for good behavior (Minnesota Department of Corrections, 2018). Offenders serve two-thirds of their prison sentence incarcerated and the remaining third on supervised release (Minnesota Department of Corrections, 2018). All offenders on supervised release follow conditions they must abide by. If these conditions are violated, a warrant will be issued and the offender will be taken into custody (Minnesota Department of Corrections, 2018). There are standard release conditions all offenders who release from MnDOC must follow, however, there can also be additional conditions that can vary with the individual and the offense. MnDOC has the legal authority to bring an offender back to prison as long as their court-imposed sentence is still in effect (Minnesota Department of Corrections, 2018). MnDOC does not have the authority to hold an offender beyond the expiration of their sentence (Minnesota Department of Corrections, 2018).

MSOP is a civil commitment program, meaning there is no end date for offenders receiving treatment programming, making it indeterminate. To be provisionally or fully discharged from MSOP an offender must petition the Special Review Board (SRB) and the Supreme Court Appeals Panel (SCAP) (Minnesota Department of Human Services, 2018). A MSOP provisional discharge is only granted by the court, and is not a pre-determined date. If a provisional discharge is approved, the client will remain civilly committed, but is allowed to live in the community (Minnesota Department of Human

Services, 2018). Each offender released from MSOP must follow terms of an individualized, court-approved provisional discharge order (Minnesota Department of Human Services, 2018). MSOP is responsible for ensuring offender compliance with the terms of provisional discharge (Minnesota Department of Human Services, 2018). MSOP has the ability to revoke a provisionally discharged offender and return them to the facility (Minnesota Department of Human Services, 2018).

### **Focus of the Current Study**

Based on federal and state law, communities must be notified if a criminally convicted level three sex offender or an individual discharged from civil commitment moves into the community. In Minnesota there are two state agencies who partake in such notification; the Minnesota Department of Corrections and the Minnesota Sex Offender Program. Both programs help conduct notification meetings, yet both agencies retain slightly different procedures. The reasoning behind such contrasting procedures may be due to each organization's focus, reiterating the mission statements of the two. The MnDOC mission statement is to reduce recidivism by promoting offender change through proven strategies during safe and secure incarceration and effective community supervision. The MSOP mission statement is to promote public safety by providing comprehensive treatment and reintegration opportunities for civilly committed sexual abusers. MnDOC focuses on offender change in order to reduce recidivism, while MSOP focuses on treatment and reintegration opportunities. The statements show some interrelatedness in regards to their mission, but maintain their overarching differences.

Would such connotations be the reason for two agencies producing differing methods of notification meetings?

To date, MSOP has provisionally discharged 14 clients to the community and one full discharge. MnDOC identifies 360 level three offenders living in the state of Minnesota as of January 1, 2016. Such data indicates notification meetings or public notification has been conducted coinciding with said offenders. The present research examines MSOP and the MnDOC to analyze if there are differences in how the two departments conduct community notification meetings and if such differences exist; what factors explain these differences; and are different approaches appropriate? Data will be collected through interviews with MSOP and MnDOC personnel to compile qualitative data for examination supported by information gathered in a literature review.



## **Literature Review**

This literature review will focus on research about the process of civil commitment and release, also referred to as provisional discharge, for civilly committed sex offenders throughout the United States. This will be followed by a review of research on sex offender treatment during incarceration and civil commitment. This will then lead to a comparison of the Minnesota Department of Corrections and the Minnesota Sex Offender Program with a brief overview of each organization while specifically addressing the mission statements of each program.

### **Rationale for Community Notification**

Despite their intense supervision, sex offenders are assumed to be highly recidivistic, meaning most people believe them to be likely to reoffend (Tewksbury, Jennings & Zgoba, 2012). Due to such beliefs, what has become known as the ‘third wave’ of sex offender laws in the United States, policy makers are creating and implementing laws against sex offenders based on numerous misconceptions about sex offenders, sex offender risk factors, public fear, and pressure for policy makers to “do something” about it (Meloy, Curtis & Boatwright, 2013). Such laws include community notification.

Notification meetings and sex offender registries provide a valuable community service, yet there is little evidence to show such requirements are effective and deter recidivism (Levenson, D’Amora & Hern, 2007). In fact, the central argument for legal

response to sex offenders and implementation of laws requiring registration and notification meetings is that sex offender recidivism is high, contrary to findings of empirical research (Tewksbury et al., 2012). In a study of 500 male sex offenders, consisting of 250 offenders released prior to the notification laws of 1996 and 250 offenders released under SORNA (the notification requirement act), Tewksbury et al. (2012) found that overall sex offense recidivism was very low.

In addition to making community members aware of sex offenders' information and whereabouts, community notification laws are also implemented with the intention that community members take some preventative measures and action to protect themselves and their children (Anderson & Sample, 2008). Such measures could include increased surveillance of people and places, additional security measure for homes, and improved self-defense procedures (Anderson & Sample, 2008). Thus, notification is meant to encourage community members to actively participate in their own safety by accessing information provided through sex offender registries and community notification meetings so they in turn can identify sex offenders in the community (Anderson & Sample, 2010). With this, public action is the principal objective community notification laws intend to promote.

### **Civil Commitment of Sexual Abusers in the United States**

Civil commitment of sex offenders has been around in the United States since the 1930's when statutes allowed for individuals determined to be sexual psychopaths receive treatment in a mental health setting (Freeman & Sandler, 2017). These laws were based on the belief that sex crimes were committed because sexual psychopaths had a

mental disease and could be treated for such in a mental health setting (Freeman & Sandler, 2017). During the 1970s and 1980s these laws were challenged by critics that argued treatment was ineffective and laws about treatment for sexual psychopathology failed to protect the community (Freeman & Sandler, 2017). In the 1990s a new movement of sex offender civil commitment laws were put into practice, more commonly referred to now as sexually violent predator laws (Freeman & Sandler, 2017).

Sexually Violent Predator (SVP) or Sexually Dangerous Person (SDP) statutes are what form civil commitment laws for sex offenders today. Such statutes allow for the involuntary civil commitment of a sexual offender, most often following the completion of their prison sentence (Association of the Treatment of Sexual Abusers, 2018). Twenty states (Arizona, California, Florida, Illinois, Iowa, Kansas, Massachusetts, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Pennsylvania, South Carolina, Texas, Virginia, Washington, and Wisconsin) and the District of Columbia have laws concerning the civil commitment of sex offenders (Association of the Treatment of Sexual Abusers, 2017). The exact language of civil commitment statutes varies by state, but each law has three common threads: (1) The individual must have committed a qualifying sexual offense; (2) the individual must have a qualifying mental condition; and (3) the individual's mental disorder creates a high probability the person will commit new sexual offenses in the future due to a serious difficulty controlling his or her behavior (Association of the Treatment of Sexual Abusers, 2018). Individuals who are designated for civil commitment also are diagnosed with a paraphilia that causes the person mental stress and makes the person a serious

threat to the psychological and physical well-being of others (Association of the Treatment of Sexual Abusers, 2018).

While states continue to utilize civil commitment laws, little criminological research has been conducted targeting the process of committing sexual offenders (Socia, 2017). The U.S. Supreme Court has upheld the constitutionality of civil commitment laws for sex offenders on two different occasions thus far (Association of the Treatment of Sexual Abusers, 2018). The Court has determined the laws do not constitute double jeopardy and are not *ex po facto* laws, as the purpose of civil commitment is to provide treatment not punishment (Association of the Treatment of Sexual Abusers, 2018).

Case law has provided documentation for the continued legality of civil commitment statutes for incapacitation and treatment rather than punishment, Sandler and Freeman (2017) found evidence to support the screening process for civil commitment. They found the successful nature of the civil commitment screening process in New York by identifying convicted sex offenders who pose an increased risk for sexual recidivism. This research is important as the findings show the process and decision-making followed to move an individual forward in civil commitment is rigorous, as it should be once a decision is made regarding the possibility of incarcerating someone indefinitely. Sandler and Freeman argue that given the scrutiny of sex offender civil commitment programs, it is essential policies and procedures related to civil commitment are rational and empirically supported. Their assessments are supported by their research investigating the sexual recidivism of offenders who were screened for possible civil commitment but did not receive such a sentence (Sandler & Freeman, 2017). Results

suggested New York's screening and assessment process is accurate in identifying high risk offenders, a significant finding to show the importance of civil commitment processes, ensuring the most high risk offenders are the ones actually being committed.

While criteria for committing an individual as SVP or SDP remain comparable throughout the states, measures for release from civil commitment vary across jurisdictions (Association of the Treatment of Sexual Abusers, 2018; Special Sentencing for Sexually Violent Predators, 2018). One common principle for release from civil commitment held by all states with SVP or SDP laws is that the courts are the determining entity in releasing an individual from civil commitment (Association of the Treatment of Sexual Abusers, 2018). Despite this common principle, there is little, if any research on sex offenders release from civil commitment, which perhaps may be due to the limited number of offenders who have been released.

Arkowitz, Shale, and Carbello (2008) discussed the varying nature of conditional release as it is not available in every state with civil commitment processes. Of the states that do ascertain post-sentence civil commitments, all allow for the release of individuals who no longer meet the civil commitment criteria, however, not all state civil commitment programs have formal conditional release processes (Arkowitz et al., 2008). Most common amongst states that do allow for conditional release is the requirement that the sexual offender continue to meet criteria for commitment but are able to be safely treated in the community (Arkowitz et al., 2008). Such conditional release programs, however, proceed at a very slow rate in most states (Arkowitz et al., 2008). Such

research is notable to the current study, as not all states with civil commitment laws for sex offenders require community notification as part of the procedure for discharge.

Yet another differing standard in release from civil commitment is the lack of transitional services provided to the offender (Association of the Treatment of Sexual Abusers, 2018). Most states with civil commitment laws retain some sort of transitional services for successful reintegration into the community following an individual's release. There remain a select few who have no step-down or follow-up process, which could prove to be detrimental to the individual returning to society as well as to the safety of the community (Association of the Treatment of Sexual Abusers, 2018).

### **Sex Offender Treatment During Incarceration vs. Civil Commitment**

The Association for the Treatment of Sexual Abusers (ATSA) maintains the institutional-based supervision and treatment of individuals convicted of sex crimes should be reserved for adults who present a higher level of identified risk (i.e.: offenders determined to be at a high risk to reoffend) and need (i.e.: criminogenic needs of the individual such as those causing or likely to cause criminal behavior) (Association of the Treatment of Sexual Abusers, 2018). Minnesota offers sex offender treatment programs at various correctional facilities throughout the state including Lino Lakes, Stillwater, and Moose Lake (Minnesota Department of Corrections, 2018). In 1999, the Minnesota Department of Corrections (MnDOC) implemented legislatively-mandated rules for residential sex offender treatment, incorporating those into the Sex Offender Treatment Program (SOTP) offered by MnDOC, with an emphasis on preparation for release (Minnesota Department of Corrections, 2010).

The Minnesota Sex Offender Program (MSOP) is the state's sex offender civil commitment program and provides programming to people who are court-ordered to receive sex offender treatment (Minnesota Department of Human Services, 2018). MSOP operates two facilities, one located in St. Peter and another in Moose Lake but also has a MnDOC site located at the Minnesota Correctional Facility (MCF) Moose Lake (Minnesota Department of Corrections, 2018). The MSOP MnDOC site is the only location in which MSOP and MnDOC work together to provide sex offender treatment programming. According to MnDOC policy 203.014, the MSOP MnDOC site is reserved for individuals who have been assessed and referred to the site in order to receive MSOP programming while incarcerated with the MnDOC (Minnesota Department of Corrections, 2018). Despite MSOP treatment existence at a MnDOC location, the MSOP MnDOC site is not a location individuals go to when civilly committed, as the MSOP MnDOC site is only available to individuals currently incarcerated and deemed necessary for MSOP programming while incarcerated, otherwise the two organizations remain separate entities.

### **Civil Commitment: Discharge and Notification**

In some cases upon notification to the county of an offender's impending release from prison, the committing county attorney can choose to petition for civil commitment of the sex offender. If the offender is found by the courts to either be sexually dangerous or have a sexual psychopathic personality, the offender is civilly committed to MSOP until completion of the sex offender treatment program, even if the individual has already received sex offender treatment while incarcerated at a MnDOC facility (Office of

Revisor of the Statutes, §253D.07, 2018). This civil commitment process allows for the confinement of sex offenders for an undefined period of time.

While criteria for committing sex offenders for civil commitment is comparable across states with civil commitment laws, *release* from civil commitment varies. The civil commitment process throughout the United States is guided by standards that focus on the level of danger an individual poses (Civil Commitment for Sex Offenders, 2018). The common language throughout the states for civil commitment of a sex offender is the finding of an individual to be sexually dangerous (Civil Commitment for Sex Offenders, 2018). Each state which has implemented civil commitment laws however, follows its own statute for release from civil commitment (Specially Sentencing of Sexually Violent Predators, 2017).

In Minnesota, an individual civilly committed to MSOP may only be discharged if it appears to the satisfaction of a judicial panel, that the individual is capable of making an acceptable adjustment to open society (Office of Revisor of the Statutes, §253D.31, 2018). This judicial panel is comprised of three judges and also known as the Supreme Court Appeals Panel (SCAP) (Office of Revisor of the Statutes, §253D.31, 2018). SCAP receives a recommendation from a Special Review Board (SRB), another three-member panel comprised of an attorney, a psychiatrist, and an individual experienced in the mental health field, regarding an individual's petition for provisional discharge or full discharge from MSOP (Office of Revisor of the Statutes, §253D.31, 2018). A client from MSOP must first petition the SRB for the discharge process to begin. Once a petition has been filed, the SRB conducts a hearing with the MSOP treatment staff, the



committing county attorney, and the MSOP client and his/her attorney (Office of Revisor of the Statutes, §253D.31, 2018). The SRB submits a recommendation to SCAP either granting or denying the individual's petition. If granted, the SRB displays the individual is no longer a threat to the public nor in need of inpatient treatment and supervision (Specially Sentencing of Sexually Violent Predators, 2018; Office of Revisor of the Statutes, §253D.31, 2018).

MSOP is part of the Minnesota Department of Human Services (MnDHS) and retains its own End of Confinement Review Committee (ECRC). The MnDHS ECRC reassess an offender's risk level upon receiving approval of the offender's discharge, and may reassign or preserve the risk level. The risk levels assigned by MnDHS ECRC are equivalent to those assigned by MnDOC ECRC. Once a civilly committed sex offender has been approved for discharge a community notification meeting is held per MN statute (Office of Revisor of the Statutes, §244.052, 2017). Local law enforcement retains the statutory responsibility of holding a community notification meeting for a sex offender released from civil commitment (Office of Revisor of the Statutes, §244.052, 2017). MSOP and local law enforcement work together to conduct a notification meeting.

This community notification process is the focus of the current study. By Statute, law enforcement must hold a community notification meeting with the aid of either MSOP or MnDOC, dependent upon the offender's current place of residence. However, there are statutory differences. As stated before, Minnesota statute requires community notification for any sex offender released from civil commitment *regardless of risk level* (Office of Revisor of the Statutes, §253D.32, 2018). This contradicts the statute

requirement of MnDOC to only conduct community notification upon a level three's release and reentry, that is, individuals deemed a most at risk for recommitting sex offenses.

### **Department of Corrections: Release and Notification**

Convicted sex offenders released from MnDOC follow a similar, but slightly different process. If MnDOC ECRC assigns a sex offender a risk level of three, state law requires that a community notification meeting must occur prior to the offender's release from incarceration into the community (Office of Revisor of the Statutes, §244.052, 2017). In these cases, the MnDOC, like MSOP, is statutorily responsible for providing local law enforcement with details and background on a level three sex offender (Office of Revisor of the Statutes, §244.052, 2017). MnDOC utilizes the information collected and provided by the MnDOC ECRC to report to law enforcement. Once again, it is then the statutory responsibility of law enforcement to conduct a community notification meeting (Office of Revisor of the Statutes, §244.052, 2017). Parallel to MSOP, MnDOC works with local law enforcement in the community in which the offender has chosen, or is allowed, to live to conduct the notification meeting (State of Minnesota Department of Corrections, 2018).

Per Minnesota statute, a city's police department can elect to not hold a community notification meeting for a level three sex offender released from MnDOC or a civilly committed sex offender discharged from MSOP (Office of Revisor of the Statutes, §244.052, 2018). In order for this to occur, certain criteria must be met. Such conditions would include at least one of the following; a) public safety would be compromised, b) a

more limited disclosure is needed to protect the identity of the victim(s), or c) the offender is placed in a residential facility (Office of Revisor of the Statutes, §244.052, 2018). If one of these stipulations is met and the police department chooses to not hold a meeting, neither MnDOC nor MSOP do anything further in regards to community notification (Office of Revisor of the Statutes, §244.052, 2018)

### **Department of Corrections vs. Department of Human Services**

The Minnesota Department of Corrections (MnDOC) clearly identifies its mission statement on the homepage of its website, a statement present throughout navigation of the webpage (Minnesota Department of Corrections, 2018). The mission statement of the MnDOC is to, “reduce recidivism by promoting offender change through proven strategies during safe and secure incarceration and effective community supervision” (Minnesota Department of Corrections, 2018). The Minnesota Department of Human Services (MnDHS) serves adults throughout the state with a goal of meeting personal needs so individuals can live in dignity and achieve their highest potential (Minnesota Department of Human Services, 2018). As an area of direct care and service, the Minnesota Sex Offender Program (MSOP) provides comprehensive services to individuals who have been civilly committed to the program by the courts (Minnesota Department of Human Services, 2018). MSOP is a branch of the MnDHS Direct Care and Treatment (DCT), and does not retain its own webpage. Information regarding MSOP can only be found while navigating the MnDHS website. However, the mission statement of MSOP cannot be searched nor identified within the MnDHS website, as only an overview of the program is provided (Minnesota Department of Human Services,

2018). Due to this lack of public availability, an email was sent to a MnDHS information contact, located on the public website, inquiring as to the organization's mission statement. A response email was received and advised the mission of MSOP is an organization working to prevent sexual violence with a mission of "promoting public safety by providing comprehensive treatment and reintegration opportunities for civilly committed sexual abusers" (Geil, 2018).

Both MSOP and MnDOC identify community safety as an important part of their mission statements. MnDOC denotes "reducing recidivism", clearly encouraging community safety, while MSOP specifically identifies "promoting public safety" in its statement. Both MSOP and MnDOC also address treatment programming in varying ways through each mission statement. MSOP states using "comprehensive treatment", which would be considered receiving ample and thorough treatment while under commitment to MSOP. MnDOC suggest using "proven strategies", advocating the use of evidence-based practices in accordance with treatment programming for individuals while incarcerated. While these two organizations may be providing services to different clientele the mission statements of the two remain similar.

Both MnDOC and MSOP follow policies and procedures relevant to each facility. On the MnDOC website one can search multiple policies accessible to the public, associated with different subject matter throughout the department (Minnesota Department of Corrections, 2018). The MnDHS lists frequently requested policies for MSOP, but has no publicly accessible website that contains all public MSOP policies (Minnesota Department of Human Services, 2018). To review or acquire copies of

MSOP public policies one must submit a data request to the records department (Minnesota Department of Human Services, 2018)

Referring to each program's mission statement, one can differentiate what each organization focuses its main objective on. As the MnDOC states in its mission statement, "utilizing proven strategies" to ensure community safety when an offender returns to the community. MSOP denotes "comprehensive treatment and reintegration opportunities" as the organization's intentions. Breaking down the mission statements of both organizations establishes each organization's targeted outcome specific to the individuals in that organization, be it MnDOC or MSOP, while safely and effectively providing services to those individuals.

Perhaps applying the philosophies of sentencing to each organization's mission statement will help to better understand each program's approach. Melton, Poythress, and Slobogin (2007) discuss four different philosophies of sentencing that include retribution, deterrence, incapacitation, and rehabilitation. Retribution refers to the idea that punishment should be proportional to the crime committed, or more commonly referred to as just desserts: an eye for an eye (Melton et al., 2007). Deterrence is seen as punishment as a necessary consequence of crime and should serve to reduce the likelihood of future criminal behavior (Melton et al., 2007). Incapacitation is the employment of sentencing as a positive prevention technique, rather than retribution or deterrence, in which the main goal is to remove one's ability to recidivate (Melton et al., 2007). Rehabilitation assumes people are not naturally of a criminal mind and thus have nothing preventing them from returning to a non-criminal state of mind, meaning one can

be restored to law-abiding life, as through therapy and education (Melton et al., 2007). It could be argued the MnDOC can apply deterrence, incapacitation, and rehabilitation philosophies to its mission statement based on the previous definitions - whereas MSOP could also apply incapacitation and rehabilitation to its mission statement.

When looking at the macro level of the two organizations, it may seem they are two starkly different institutions. Approaching it at a micro level, however, illustrates the commonality in outcome for the individuals the two actually share. Despite this shared identification in mission statements, the two institutions function independently, particularly when it comes to community notification. By identifying the ways each organization approaches the notification process and delivery of information, one can better understand the reasoning for processes and procedures utilized. If differences are identified, policy recommendations may be made to contribute to a more effective and efficient program within each institution.

## Theory

Sociology defines institutionalization as conventional, standardized patterns of behavior found throughout organizations which give meaning to social exchange and order (Guth, 2017). Such patterns of behavior provide routines, standards, and norms for said organizations (Guth, 2017). This said, the way institutions are shaped is based on a shared understanding of acceptable conduct in that society; organizations conform and in doing so achieve social approval.

Institutional theory seeks to explain the processes and reasons for social behavior as well as the effect of organizational behavior patterns within a broad context (Guth, 2017). Institutional theory examines the aspects of social structure and how institutions are 'just rules of the game', meaning that norms of a society shape how individuals understand themselves and the actions they are able to formulate, which in turn affects the structure of organizations in that society (Selznick, 1996). Institutional theory specifically addresses how institutions, or organizations, are identified within culture and how such institutions speak and respond to the issues of social concern (Selznick, 1996). The key question to institutionalist theory is why, in a given field, do people follow norms and regulations and why are organizations similar or different?

According to recent research, one of the biggest challenges to institutional theory is that it focuses too much on similarities between organizations, ignoring the heterogeneity (Meyer & Markus, 2014). Instead, it has been suggested that social

scientists should focus on the differences among organizations, specifically, understanding organizations by focusing on organizational heterogeneity (Meyer & Hollerer, 2014). Meyer and Hollerer (2014) argue that to be able to refocus institutional theory, researchers must simply understand and explain the scope conditions under which organizations differ, and not to simply focus on a celebration of differences. It is also argued that there are too many diverse definitions of concepts associated to institutional theory, making the theory not a theory according to some sociologists (Peters & Guy, 2000).

Research applying institutional theory has made significant contributions to understanding the impact organizations have on an environment (Guth, 2018). It has shown that an organization must be isomorphic and establish social legitimacy in order to develop a positive reputation (Guth, 2018). However, to create a reputable organization, one must also challenge the standards of similar organizations while ensuring no loss of legitimacy (Guth, 2018).

Institutional Theory is a practical application in this study as MSOP challenges the standards set by MnDOC; the two are similar organizations, reinforced in society by social legitimacy, yet may have varying approaches to community notification meetings. MnDOC has a much longer history of conducting community notification meetings, going back almost 30 years, whereas MSOP only began holding meetings in 2012, for six years. The organizations have social legitimacy and can be identified as homogenous, yet the processes and procedures surrounding the same statute responsibility could be different. This study will examine the similarities and differences of each organization's



approach in conducting community notification meetings while identifying the ways in which those standards are created and implemented.

### **Applying Institutional Theory to MnDOC and MSOP**

The MnDOC and MSOP have both become organizations institutionalized in Minnesota society due to social legitimacy, a major concept in institutional theory. Social legitimacy refers to what others in a society are thinking about the same topic / subject. To gain social legitimacy, organizations must be built on the values and norms of a society. Therefore, forms, practices, and routines are institutionalized when they are invested in social meaning (Selznick, 1996). The practices and policies held by both the MnDOC and MSOP are built off what individuals in the Minnesotan society see as important, for example the public safety thought to be maintained by community notification meetings. Institutions such as the MnDOC and MSOP are bound by everyday politics, such as government statutes particular to each organization, wherein both organizations are also identified within culture. This means the culture of a society influences the laws an institution must govern by. For example, research has shown policies and laws regarding sex offenders are often symbolic in nature, most often put into practice to reassure the public, reinforce moral boundaries, while also defining what is right and wrong (Sample, Evans, & Anderson, 2011). In a study conducted by Meloy, Curtis, and Boatwright (2013) a national sample of legislative members, specifically policy makers on sex offender laws, were interviewed and found that policy makers believed sex offender laws were created partly in response to the “influential” cases involving child victims that became high-profile, nationally known victimizations.

Meloy et al. found that a large majority of policy makers interviewed knew nothing of empirical studies or evidence regarding the effectiveness of notification laws and registries, but based their decision making on what was told to them by others within their department. Results such as these suggest sex offender laws are put in place not because they have high evidence for effectiveness, but because of public demand.

Both the MnDOC and MSOP conduct community notification meetings because it has been identified within the culture. Notifying the community an individual with a serious history of sexual offending will be moving into the community is important to public safety. People of Minnesota have come to an understanding that when someone who has been identified as an individual with serious sexual offending, and that individual is moving back into the community, the members of that community should be informed. Institutional theory would then suggest those community members are able to act accordingly when this type of situation occurs because of this shared understanding which has become a cultural norm, as well as a public expectation. Moreover, MnDOC and MSOP (and their operational procedures for administering community notification) along with local law enforcement agencies represent institutional resonance because they fulfill the cultural norm and public expectations.

Regardless of what actions and norms society has deemed important or legitimate, they may not be what is actually practiced. For example, despite a lack of empirical evidence showing community notification meetings deter sexual offending, laws enforcing such policies continue to be employed (Koon-Magnin, 2013). Koon-Magnin (2013) conducted two studies addressing the results of a study conducted by Levenson,

Brannon, Fortney, and Baker's (2007) which found most respondents (73%) agreed with the statement, "I would support these policies even if there is no scientific evidence showing that they reduce sexual abuse". Such results reinforce intuitional theory's concept of institutions bound by everyday politics in which the members of a society determine what is a social norm – in this case, the existence and execution of laws regarding sex offenders. As previously discussed, perhaps the symbolic nature of such laws would have more of an impact on citizens' behaviors. In a 2008 study conducted in Nebraska, it was found that a majority of residents have never accessed the public database for sex offender registry (Anderson & Sample, 2008). Findings also showed residents did not check the registry because they had no interest in the information (Anderson & Sample, 2008). Anderson et al. found that despite residents knowing the registry existed and chose to not access it, those respondents who did took little if any preventative measures as a result of learning sex offender information.

The other key component of institutionalist theory is the similarity of organizations in a society, which can be referred to as isomorphism or homogeneity. This means that organizations in a society are similar, but isomorphism also declares homogeneity in organizations due to social legitimacy. Social legitimacy, once again, is whether or not the actions of a law [institution] are legitimate or not according to that society. The MnDOC and MSOP are similar in their structural organization, such as having a Warden at a MnDOC facility and a Facility Director at MSOP. The organizational flow chart is also similar, denoting assistant directors and security

directors. Such similarities reinforce the idea of isomorphism and why similar organizations are able to prosper in a given society.

While both MnDOC and MSOP retain a similar operational layout, informally one would suspect there to be differences in the operations. These differences might include the responsibilities of positions that may hold similar or comparable titles across the two organizations, but the duties fulfilled in each position could vary. One would imagine these differences are due to the actual type of facility each organization entails; MnDOC an organization for criminal incarceration and community supervision whereas MSOP a treatment facility directed specifically toward sex offender rehabilitation. This study will then consider job titles along with those duties and responsibilities as variables to measure associated with each facility to see if differences actually exist.

## **Data and Methods**

This study examined: 1) Are there differences in how MnDOC and MSOP conduct community notification meetings; and 2) if such differences exist, what factors explain these differences? The process of data collection, identifying variables and the sample selection will be discussed in this chapter.

### **Method of Data Collection**

To analyze the first research question, whether differences in how MnDOC and MSOP conduct community notification meetings exist, relevant documents were reviewed, including statute requirements for MnDOC and MSOP as well as an analysis of each department's respective mission statement. Statutes that are addressed include: §253D.32 Scope of Community Notification, §244.052 Predatory Offenders, §243.116 Registration of Predatory Offenders, and Chapter §253D Civil Commitment and Treatment of Sex Offenders.

To analyze exploring if differences exist and gaining information about why they exist if they do, semi-structured interviews were conducted with key informants who work at MnDOC or MSOP (Gideon & Moskos, 2012). Applying this interview strategy provided structure for the interview protocol by asking all respondents the same list of questions (Gideon & Moskos, 2012). This strategy also provided the researcher with the flexibility to elaborate on the point of each question that is most meaningful or applicable to them (Gideon & Moskos, 2012). Utilizing this type of flexibility allows for a deeper

conversation and the opportunity to follow up with probing questions to ensure a successful interview is completed.

Key informant interviews were conducted because these individuals have extensive knowledge and perspective on the topic (DePoy & Gilson, 2008). According to DePoy and Gilson (2008), the interviewing of key informants is useful because of the broad knowledge they have and because they have both knowledge of processes and political issues.

Key informants were sent an email inviting them to participate (see Appendix A). This included an informed consent form. The actual interviews took place during business hours and after business hours, as was suitable to the informant, via telephone and one interview was done in person. The reason for this is that people are busy and the researcher did not want to interfere with a respondent's personal life, particularly when the study is relevant to the individual's professional work. Interviews were proposed to last no longer than an hour, however, participants were willing to go beyond one hour, allowing the interview to continue until completed. Interviews were informal, creating a comfortable and relaxed atmosphere for participants to effortlessly engage in conversation. The researcher took notes throughout each interview to compile and collect data.

### **Sampling Design**

A qualitative analysis of MSOP and MnDOC was done to gather information about the procedures each organization follows in conducting a community notification

meeting. This list was created via the inspection of the agency's website, aiming for a comparable number and level in the organization for both agencies.

Attempts to interview 9 people from both agencies and other resources included:

Reintegration Director, MSOP

Reintegration Coordinator, MSOP

Reintegration Agent, MSOP

MnDHS Direct Care Executive, MSOP

Corrections Field Services District Supervisor, MnDOC

Community Notification Coordinator, MnDOC

Corrections Agent, MnDOC

Victim Assistance, MnDOC

Chief of Police, Dayton MN

An attempt to interview these individuals presented the researcher with the most accurate and important information relevant to community notification meetings. The job titles listed are those known by the researcher to be actively involved in the notification meeting process from both the MnDOC and MSOP agencies. Interviews were conducted over the phone to allow for easy communication and exchange with all sources. One interview was conducted in person. Interviewees were informed they can recommend a designated replacement for their participation in the study.

## Research Process

Key informants were asked to describe the community notification process of their respective agency. This included; 1) The role of the respondent in the community notification meetings, 2) Criteria for holding meetings, 3) How are logistics of the meeting facilitated, 4) Content of the meetings, 5) If any community resources are utilized, 6) Meeting Guidelines, 7) Who funds meetings 8) Goals of the notification meetings, 9) Awareness of other agencies meetings and perceptions of their processes, 10) What would an ideal community notification process look like? (see Appendix B for the entire interview instrument).

Key informants were asked the goal(s) of community notification meetings, the process of how a meeting is organized, and how the process contributes to the goals. Participants were asked to fully explain the goal(s) of community notification meetings that are not otherwise identified in statute and why such goals are important.

Key informants were asked what an ideal or perfect community notification meeting would entail in his or her opinion. In a follow up to the prior question, the informants were asked if any items suggested in their ideal notification meeting are missing from the current practice.

Key informants were asked if they are familiar with the other agency's community notification practices. This question was followed with: 1) Are community notification meetings similar between the two agencies, 2) How do community notification meetings differ between the agencies, 3) If community notification meetings



do differ between the agencies, why do they differ, 4) Is it appropriate if the community notification meetings do differ?

It is beneficial to understanding this research project to provide information about the time period of the research as well as the experiences of the researcher. During the time this research was conducted, there was ongoing litigation brought forward by MSOP clients who had filed a lawsuit against the state arguing the program was unconstitutional as it rarely ever releases any clients (Karnowski, 2018). The lawsuit began in 2015 and ended in 2018, dismissing the claims of the clients (Karnowski, 2018).

It is also important to note this researcher was previously employed by MSOP as a Security Counselor when the research began and is currently employed by MnDOC as an office administrative specialist, but at no point was involved with sex offender community notification meetings. In addition, this researcher has observed community notification meetings held by both agencies, however no data or information from those meetings is presented in this research.

### **Data Analysis**

This study explores two specific research questions: 1) Are there differences in how MnDOC and MSOP conduct community notification meetings; and 2) if such differences exist what factors explain these differences?

The first step in analyses of these data was to compare how the community notification meetings are conducted by MSOP and MnDOC, specifically noting the similarities and differences. Following this is an analysis of the two mission statements

of these agencies to determine if such verbiage can explain why there are differences. A qualitative analysis of answers given by key informants was conducted, looking for explanation regarding the differences in community notification meetings between the two agencies. This includes an analysis of internal consistency in responses from interviewees from the same agency as well as comparisons between the two agencies.

### **Protection of Human Subjects**

Interviews were conducted with professionals in the treatment and criminal justice field associated with community notification meetings. Consent to participate in the study was requested via informed consent form after initial contact with each individual. The consent included the invitation to participate in the research, why they are being asked to partake and what the type of participation is (i.e. interview), that personal information will not be collected aside from name and professional working title, and who to contact if they have questions about the study. The interview process did not begin until a copy of consent from the individual had been received.

An attempt to minimize any harm by the study was done by ensuring the interviews were direct and to the point, as to not disturb participants from their professional duties. There was minimal risk to participants as they are professionals who manage community notification meetings and the clientele surrounding such meetings on a regular basis. Even though interviews were conducted over the phone, and one in person, there were no security risks as interviews were done at the participant's availability.

All respondents were notified of their anonymity prior to acceptance of participation in the study and again before conducting the interview. While the researcher gathered participant names and titles, confirmation was made with each individual that only professional titles or associations would be used in analysis, omitting personal names. Participants were informed that interviews will be transcribed by the researcher, also ensuring anonymity and confidentiality.

As both MnDOC and MSOP are organizations in the same professional field, it presented the possibility of participants talking with one another regarding the study and interview questions. Participants were asked to render responses confidential to the researcher and asked they remain true to this declaration until the completion of all interviews. Participants were informed of completion of the study and provided a copy of final findings and analysis upon request. The study is approved by the Minnesota State University Mankato Institutional Review Board prior to beginning the research.

### **Findings: MnDOC and MSOP Processes**

This chapter will discuss findings compiled from the interviews conducted with both the MnDOC and MSOP staff. The findings chapter will describe the processes and what type of procedures MnDOC and MSOP follow when each agency assists law enforcement in holding a community notification meeting.

#### **Description of Sample**

Research for this project included interviews conducted with both Minnesota Sex Offender Program (MSOP) and Minnesota Department of Corrections staff (MnDOC). Interviews were conducted with the Executive Director, a Reintegration Specialist, and the Reintegration Program Coordinator at MSOP. Multiple attempts were made to speak with the MSOP Reintegration Director, but was not possible due to the individual not being able to find time for the interview. Interviews were conducted with the Risk Assessment/ECRC Director, the Community Notification Coordinator, a Field Services District Supervisor, and a Corrections Agent all employed with MnDOC. Attempts were made to speak with law enforcement personnel who have prior experience with MSOP and MnDOC notification meetings and the Community Notification Coordinator for the Minneapolis Police Department, but these interviews were not able to be completed. The community notification coordinator from Minneapolis Police Department was contacted but did not respond.

As such, a total of three essential staff from MSOP and four essential staff from MnDOC were interviewed. Interviews lasted for approximately one hour to one hour and 30 minutes. All staff interviewed were willing to participate in the research and appeared to be accepting of the questions that were asked. Brief follow up questions were made with participants following initial interviews.

Respondents from both agencies provided consistent information in the processes each follows for conducting community notification meetings. Individuals interviewed from both MSOP and MnDOC were aware of the steps involved and the different departments involved specific to their workplace. Findings will include any discrepancies or inconsistencies as all information collected will be presented. Due to confidentiality of the respondents, no statements from specific individuals will be identified.

The findings of these interviews will be divided into topics based on hypotheses of the study. These include: history of conducting community notification meetings, determining need for community notification meetings, background of community notification meetings, timing of community notification meetings, and organizing community notification meetings.

### **History of Conducting Community Notification Meetings**

According to respondents, the MnDOC has assisted local law enforcement in conducting community notification meetings since 1997, following the implementation of Megan's Law in 1996. They are involved in approximately 60 meetings per year. The

Minnesota Sex Offender Program (MSOP) has been assisting law enforcement in community notification meetings since 2012 when Minnesota legislature passed a law requiring broad notification for all MSOP clients releasing to the community.

When MSOP was scheduled to conduct their first notification meeting, they met with MnDOC staff who provided suggestion and offered guidance in what MnDOC has been doing the past years in assisting with meetings. MSOP took this information and developed a process they believe to be efficient and effective for conducting notification meetings.

In comparison, according to respondents, MSOP has assisted law enforcement in conducting approximately 10 notification meetings since 2012. MnDOC assists with many more meetings than MSOP and has been doing so for 15 more years than has MSOP. MnDOC currently averages 60 meetings per year.

Despite the difference in length and numbers of releasing offenders from the two facilities, notification remains the same. Law enforcement makes the final decision as whether or not to hold a notification meeting. MSOP and MnDOC staff interviewed stated sometimes law enforcement will choose not to hold a meeting because; there are a number of other predatory offenders who also live in the area, and based on previous meetings held in that jurisdiction, turnout was low when a meeting was held; or if an offender is moving into a halfway house that also houses other sex offenders that is already known to local law enforcement and perhaps the community, a meeting is withheld. These are reasons for exceptions not specified in the community notification law as discussed earlier.

### **Determining Need for Community Notification Meetings**

Both the MnDOC and the Minnesota Department of Human Services (MnDHS), which MSOP is a part of, have an End of Confinement Review Committee (ECRC), each of which utilize evidence-based risk assessment tools to review and assess sex offenders who are approaching release from confinement. The ECRC consists of the prison warden or treatment facility head where an offender is confined, or that person's designee; a law enforcement officer; a treatment professional trained in assessing sex offenders; a caseworker experienced in supervising sex offenders; and a victim services professional. MnDOC and MSOP both utilize the Minnesota Sex Offender Screening Tool – Revised (MnSOST-R) to assign risk levels to offenders. Once assessments are complete and risk levels are assigned, MnDOC and MSOP ECRC staff forward this information and other offender demographics to the local law enforcement agency in the residential jurisdiction where an offender will be moving. Both the MnDOC and MSOP ECRC are responsible for distributing reports and associated information regarding an offender to the original investigating agency and the agencies in which the offender will be residing; such agencies would include those that have jurisdiction over where the offender reside or expects to reside, and areas where the offender might regularly be found. Some offenders may not go back to reside in the jurisdiction where convicted due to factors such as residency restrictions or no contact with victims.

There is a slight difference in procedural steps following this phase. Once law enforcement receives this information, for those offenders subject to broad and limited public notification, MnDOC has a Notification Coordinator who ensures law enforcement

agencies have the necessary information and resources for carrying out their duty of disclosing to the public and providing public safety. What is necessary and relevant is determined by each independent law enforcement agency, none of which is statutorily define or required. The Notification Coordinator at MnDOC is then the primary contact for law enforcement agencies that wish to set up a community notification meeting. The Notification Coordinator assists law enforcement in this planning process while providing general guidelines and expertise regarding notification meetings. MnDOC operates under this structure as to help law enforcement provide relevant and factual information about an offender to the community in the interest of public safety.

The MnDHS ECRC Coordinator sends out offender information to law enforcement, as is statutorily required. At MSOP there is no one with a specific title for the notification process but duties fall to the Reintegration Director. This person may request ECRC information from the MnDHS ECRC Coordinator and in turn issues a letter, including the required offender information, to law enforcement. The Reintegration Director is going above and beyond at this point by seeking out ECRC information and compiling a document of information to provide to local law enforcement, as this step is not required by law. If so choosing, law enforcement in the residential jurisdiction the MSOP offender will be residing would then contact the Reintegration Director to request MSOP's assistance in conducting a notification meeting.

The MnDOC Notification Coordinator is the primary contact for law enforcement agencies that want to set up a community notification meeting. The Notification



Coordinator helps law enforcement with planning and executing the notification meeting, providing guiding principles and significant knowledge on how notification meetings should be conducted and what they should entail. The Community Notification Coordinator completes job duties specifically related to community notification meetings. The primary contact for law enforcement agencies that want to set up a community notification meeting with MSOP is the Reintegration Director. The Reintegration Director is not only responsible for over-seeing the entirety of community reintegration for MSOP clientele, but also acts as a liaison for law enforcement who want to conduct community notification meetings with MSOP. The Reintegration Director has many duties that are not directly related to community notification meetings, unlike MnDOC who has specified personnel for this position. The Reintegration Director is in an administration position at MSOP at a level which provides the individual with power and control. These are two individuals who are at very different levels at each state agency but provide the same duties that pertain to community notification meetings.

One stark difference between the agencies at this stage is MnDOC encourages law enforcement to conduct a community notification meeting especially if the jurisdiction has never had a meeting. If a particular law enforcement agency has never had a meeting, the Community Notification Coordinator at MnDOC offers guidelines and expertise in how to organize a meeting, how to advertise for it, who should present at the meeting, what topics should be discussed, and what community responses they should expect. MSOP however gives no recommendation to law enforcement as to conduct a notification meeting or not, nor do they provide information about meetings unless asked.

MSOP informs law enforcement of past practices of other agencies if asked, but provides no further consultation. Law enforcement agencies must then make their own decision about having a community notification meeting and how it should be conducted.

### **Background of Community Notification Meetings**

No criteria nor guidelines have ever been printed in statute directing what a community notification meeting should entail. According to MnDOC staff, in 1996 law enforcement representatives came together under the direction of the Minnesota Board of Peace Officer Standards and Training to develop a model policy on community notification. Part of this model policy included identifying notification meetings as an open forum for public communication. In an effort to develop consistency and accuracy in delivery of information, the MnDOC would then provide assistance as requested by local law enforcement agencies. Since this meeting and to present date, MnDOC follows this practice.

MnDOC respondents stated MnDOC will share information with local law enforcement agencies who are considering not conducting a meeting in hopes to sway to persuade them to do so. When a notification meeting has not been held, the experience of MnDOC is it appears to the public as a way of avoiding the requirement that law enforcement 'shall disclose to the public', meaning law enforcement was trying to avoid notifying the public of a level 3 sex offender moving to the area. MnDOC respondents stated they have found being transparent about sex offenders moving to the area has been what is most effective in providing community support and encouraging community safety. MnDOC is going beyond statute by providing assistance to law enforcement in

this manner and helping inform the public through the use of a community notification meeting.

### **Timing of Community Notification Meetings**

According to Minnesota statute 244.052 Subdivision 4(3) states law enforcement shall make a good faith effort to inform the public of required information needed for a sex offender moving to the area that requires broad notification within 14 days of receipt of a confirmed address (Office of Revisor of the Statutes, §244.052D.04, 2018). This shows how statute gives no exact time frame on when broad notification, which can include a community notification meeting, must occur.

According to administrators interviewed, MnDOC has legally required release dates for all incarcerated offenders, including level 3 sex offenders. However, the department does not always know the location where the offender will reside as the offender may not have a confirmed address until just before their release date. Typically, people leaving prison go back to the community where they were convicted, if possible, as most often the county of conviction is where they previously lived. The community where an offender is convicted is then legally responsible for assisting in community supervision, if required. This may explain why MSOP provides more limited input into the meetings, because they may include lower risk individuals being returned to the community.

Those interviewed explained that predatory offenders, which include level 3 sex offenders, face many barriers in finding places to live prior to their release date.

Complicating factors include; residency restrictions, city ordinances, or special conditions such as no contact with minors or victims. Such factors could prevent offenders from moving back to the county where they were convicted or to the home they left. Another instance preventing an offender moving back to their previous home could be children who live at the household, who were not victims, but are minors and the offender cannot have direct contact with minors. Finding housing is difficult because of barriers, and some level 3 sex offenders releasing from MnDOC do not find a place to live until right before their release date.

According to MnDOC administrators interviewed, situations like this make holding a community notification meeting prior to an offender moving to the area quite challenging. Statute states law enforcement must put forth a good faith effort to provide required notification after receiving information of a predatory offender moving to the area. In a perfect world, MnDOC would be able to assist law enforcement in conducting a notification meeting prior to the offender moving to the area, however, in the practical world it is done as soon as possible whether that be a day before the offender moves or at times, after the offender has already moved to the area. MnDOC respondents affirmed that regardless of whether an offender moves to the community before or after a notification meeting is held, MnDOC will always help law enforcement in conducting the meeting.

This is perhaps why statute gives no direction nor a specific timeline when notification has to be done, as each situation varies which allows law enforcement the

flexibility of conducting broad notification when needed and establishing a time and date for a notification meeting if decided upon.

According to those interviewed, MSOP can only release offenders who have received either a provisional or full discharge by the Supreme Court Appeals Panel (SCAP). A provisional discharge means the client has been approved to leave the MSOP facility and live in the community but remain under MSOP supervision, just like an offender leaving MnDOC is typically under supervision in the community. At MSOP a full discharge means the courts have approved the offender to not only move to the community but also be completely released from MSOP supervision and civil commitment. If a MSOP client receives a provisional discharge, they are subject to broad notification regardless of risk level, as statutorily required. This is when a community notification meeting would occur if law enforcement chooses to do so and in which case MSOP will offer assistance if requested. According to MSOP staff interviewed, this requirement was placed in statute in 2012, right before the first client from MSOP was to be moving to the community. If a client is fully discharged from MSOP but is a level 3 offender because of prior assessments that remain applicable, MSOP will not assist law enforcement in conducting a notification meeting as the offender is no longer under MSOP supervision.

When an offender is approved for provisional discharge from MSOP, most often MSOP will already have housing for the offender secured prior to the offender even being granted discharge. MSOP will not send out any information regarding an offender moving to an area until the residence has been fully secured and is ready for the client.

The MSOP Reintegration Director will reach out to law enforcement within 14 days of an offender's scheduled discharge date, but not before this date. The Reintegration Director will inquire if a notification meeting will be held and if so would the department like MSOP to assist in conducting the meeting. In contrast to MnDOC, MSOP will not release an offender unless they have a residence to go to, whereas MnDOC must release offenders regardless. Like offenders releasing from MnDOC, MSOP offenders also face residency restrictions and city ordinance barriers as well, again making finding housing a challenge.

Because some communities have residency restrictions against level 3 sex offenders, this can affect the timing of community notification meetings. If an offender is hoping to move to an area without knowing that city has residency restrictions that would apply to the offender, it prolongs the process of initiating a community notification meeting because the offender will then need to find a new location to live. Securing housing can be a long process, which in turn delays the community notification process as well. Another interruption in the timing of notification meetings and an offender's release is that law enforcement may not receive information on an offender requiring broad notification [community notification], until a few days before the offender is about to move, because it took so long for that offender to find appropriate housing. This can result in a community notification meeting not being held until right before or even after an offender has moved to the area.

## **Organizing Community Notification Meetings**

Both MnDOC and MSOP send a packet of information to the law enforcement jurisdiction, including information about what is needed for a meeting, what the department can help with, and what the department could discuss during the presentation. If a meeting has never been held by the jurisdiction, both MnDOC and MSOP offer guidelines and expertise on past practices.

In offering assistance and suggestions, MnDOC recommends law enforcement invite or include the supervising agent(s), whether that being a MnDOC adult supervised release agent or a county probation officer, victim services administrators, and at times even representatives from the local county attorney's office and school district officials.

MSOP recommends the MSOP Executive Director be present to help facilitate the meeting with law enforcement. They also recommend that the MSOP Reintegration Director and the Reintegration Specialist (this is the title of the MSOP community supervising agent, which is like a probation officer) to answer questions if need be. MSOP has recommended and requested victim services come in the past, but do not appear to make it a viable suggestion presently. MSOP staff interviewed stated victim services will be referred if a member of the community seeks out that information following the meeting, but MSOP does not extend an offer for victim services to present at the notification meeting. MSOP staff interviewed stated they will provide victim service information to community members if requested by them at the end of the notification meeting, while also stating victim services do not need to be present and speak at the meeting as that is not what the meeting is intended for. The county attorney

is notified of the notification meeting date, but there is no recommendation for a representative from this office to attend. However, as described by respondents from MSOP, in past meetings, law enforcement agencies have requested the county attorney attend to answer questions. The MSOP staff who would directly offer suggestions on who law enforcement should invite to the meeting was unable to be interviewed for this research, but other interviews suggest this is the practice.

When MnDOC assists in facilitating a meeting, usually the Notification Coordinator or another MnDOC staff from the Notification and Risk Assessment Department will present. Most meetings last one and a half to two hours, with MnDOC advising law enforcement to stick to an agenda and open and close the meeting on time. Law enforcement presents basic public safety information specifically related to their community, such as what processes they have in place for monitoring the offender in the community and what their relationship with MnDOC and who the supervising agent is. According to MnDOC staff interviewed, if law enforcement were to neglect to discuss agent supervision, the MnDOC staff facilitating the meeting would address that.

After law enforcement completes their introduction and material, MnDOC staff then presents background information on offender registration and community notification, following with specifically addressing the level 3 offender moving to the area, which would include a photo, demographics and criminal history. Statistical data is also presented, including things such as numbers for sex offenders already living in the area and overall in the state, recidivism rates, and what type of offender is likely to



reoffend. An explanation is also given of what the different assignment levels mean for sex offenders and how this came about.

According to those interviewed, the information presented by MnDOC is basically standard for all meetings. MnDOC staff stated education is the most important goal because society often gets its information from social media and other media outlets that cover such small fractions of what actually happens, such as large network media outlets always having one correspondent to cover missing children even though cases such as that are a rarity. This creates an upstream battle for both MnDOC and law enforcement, as lay people then relate what is reported by the media to what is prevalent, resulting in agencies having to fight to correct that information, which is why most MnDOC community notification meetings have a very similar layout and presentation. If other resources are involved in the meeting, those organizations would follow the presentation by MnDOC. For example, as recommended for victim services to attend the meeting and speak, an organization such as The Jacob Wetterling Foundation will then present. Information presented by victim services often consists of preventative factors such as what to look for if one were to suspect sexual assault by another or how to help protect yourself and your children from predators. The information presented by victim service organizations is determined by the organization and what they feel is most important and relevant to share. Following presentation by additional resources, is a question and answer session in which community members are able to ask questions and express concerns regarding the offender or the presentation. MnDOC staff interviewed stated and agreed, as questions can be directed specifically toward either law

enforcement, MnDOC, victim services, or another resource, the questions are fielded by those specific agencies. Law enforcement will then bring the meeting to a close when determined necessary.

According to one MSOP staff interviewed, when MSOP began assisting in notification meetings in 2012, there was essentially a 'board' of people who would be present and help facilitate the meeting. This included the Community Preparation Services Director at the time (this was before the Reintegration Director position was added), the supervising agent(s), the group home supervisor where the offender was going to be living, and the MSOP Executive Director. Presently, the MSOP Executive Director is the only MSOP staff representative who facilitates notification meetings along with law enforcement. This change occurred as MSOP leadership believed the Executive Director should be the 'face' of notification meetings due to the high profile nature of MSOP clientele, potential political ramifications, and the possibility of media involvement following the meeting. MSOP administration and other MSOP staff interviewed, stated that if in the future MSOP is at the point where many more offenders have been discharged and it is a more common occurrence, then perhaps somebody else could facilitate the meetings. However, at this point, MSOP administration believes the Executive Director is the best person to perform this duty.

MSOP also used to meet with community leaders weeks prior to an offender being released to the area in the spirit of transparency but this sometimes resulted in city ordinances being put in place banning offenders from that community before they were even released from MSOP. Because of ramifications such as this, MSOP now reaches

out to local law enforcement two weeks prior to the offender moving to the area and not any time before. Since most offenders releasing from MnDOC will transition to the community regardless of secured housing established, MnDOC staff provide an offender's residency information to local law enforcement as soon as the information is available.

Like MnDOC, law enforcement often will start meetings held with MSOP, completing introductions and then turnover the presentation to MSOP. MSOP administration interviewed stated the MSOP presentation is more legal focused than MnDOC in order to explain civil commitment. The MSOP Executive Director will self-introduce and identify the Reintegration Director and the supervising agent(s). Basic education is given about the offender, including demographics, background, and conviction history. While the presentation will include data like MnDOC describes in terms of statistics about registered sex offenders in the state and numbers regarding sexual assaults, the main focus is on civil commitment and what that entails. As stated by MSOP respondents, information given to the community at this point includes how the offender got to MSOP, how they are leaving, and why they would be going to that particular community. This is the main focus of the meeting for MSOP because they believe the audience should know the civil commitment process and release and that it is not like prison, it is different, while also emphasizing the offenders leaving MSOP have completed intense sex offender treatment.

A unique aspect is that MSOP adjusts their presentation for each meeting, based on the community in which the offender will be residing and reactions to previous

presentations while MnDOC's presentations are consistent across meetings. MSOP will identify the offender as someone who has received and completed immense treatment, reiterating the importance of treatment and how that helps an offender remain safe in the community. Also discussed is supervision and conditions the offender must abide by, reminding the community how important it is that everyone work together to help the community be successful, meaning everyone plays a role in keeping the community safe. Along with this, an overview of what authority MSOP has over the offender, including what would happen if the offender were to violate their conditions and what that means if MSOP will or can revoke the offender. The meeting concludes with a question and answer session, just like MnDOC. The MSOP Executive Director navigates and responds to almost all questions, unless it would pertain to law enforcement or be a question the director would not have the answer to. Law enforcement will close the meeting when determined necessary.

### **MnDOC and MSOP Public Website**

Both the MnDOC and MSOP provide public online access for their departments. MnDOC has a website solely dedicated to corrections in Minnesota and what that entails. The website contains a variety of information relevant to corrections and all of the areas in which MnDOC covers. The MnDOC vision, mission statement, values, and goals are all posted on the website and easily accessible. MSOP does not have its own public website, but information about MSOP can be found on the MnDHS public website after clicking on people we serve; adults; services; sex offender treatment. The MSOP mission statement, the vision, values, or goals cannot be found on this link. MnDHS provides

their mission statement, but MSOP does not list one. MnDOC provides a number of current documents for information regarding various entities of MnDOC, including the 2015 and 2018 annual strategic report. MSOP has links and documents that were added to the website in February 2018 that provide information about the department, of which include annual performance reports from 2011 to 2014.

### **Conclusion**

In summary, MnDOC and MSOP are similar in the processes leading up to a notification meeting including; a review of the ECRC to assign a risk level to the offender, ECRC sending out required offender information to law enforcement jurisdiction where an offender will be moving, and an assigned staff to coordinate conducting a notification meeting with law enforcement. Both MnDOC and MSOP also present on offender demographics and statistics at community notification meetings, including the current offender's criminal history along with statistical data regarding offenders in that community and the state of Minnesota.

MnDOC will always encourage law enforcement to invite victim services to present during notification meetings. This is different from MSOP. MSOP does not recommend law enforcement invite any additional resources to present at a notification meeting other than MSOP.

The biggest differences between MnDOC and MSOP notification meetings include; MnDOC will encourage law enforcement hold a notification meeting while MSOP provides no suggestion, MSOP focuses the meeting on educating the community

on what civil commitment and the role of MSOP, whereas MnDOC focuses the meeting on statistics about level 3 offenders and preventative factors for community members to apply to their own lives and that of their families, and victim services is invited to meetings assisted by MnDOC but not MSOP.

### **Analyzing Data**

The research questions addressed in this study included: 1) Are there differences in how MnDOC and MSOP conduct community notification meetings; and 2) if such differences exist what factors explain these differences? First will be an analysis of the two departments mission statements followed by analyses of information gained from interviews of key experts. Four MnDOC professionals and three MSOP professionals pertinent to the community notification meeting process were interviewed for this research. Attempts were made to interview more MnDOC and MSOP staff along with resources outside of the two state agencies, however were unsuccessful due to lack of response or scheduling conflicts. All but one respondents were contacted with follow up questions from the initial interview. Interviews lasted approximately one hour to one hour and 30 minutes.

The MnDOC mission statement is to, “Reduce recidivism by promoting offender change through proven strategies during safe and secure incarceration and effective community supervision.” This mission statement can be found on the MnDOC public website, and is visible on multiple areas throughout the website ([www.mn.gov/doc](http://www.mn.gov/doc)). The MSOP mission statement is, “To promote public safety by providing comprehensive treatment and reintegration opportunities for civilly committed sex offenders.” This mission statement is not found anywhere on the sex offender treatment homepage, located on the MnDHS public website, nor on any other documents provided in that section of the website. The MSOP mission statement was provided to the researcher by a

MSOP staff as contacted through the ‘contact us’ email listed on the MnDHS website ([www.mn.gov/dhs](http://www.mn.gov/dhs)).

Both MnDOC and MSOP emphasize the use of evidence based practice procedures by using words such as “proven strategies” and “comprehensive treatment” in their mission statements. Both agencies also identify the offender as a priority in receiving services through the agency, by stating “promoting offender change” and providing “opportunities for civilly committed sex offenders.” A notable difference is that MSOP directly states, “to promote public safety”, whereas MnDOC states to “reduce recidivism by promoting offender change”. While MnDOC passively addresses community safety by stating, “promoting offender change”, one could infer the released offender will not be a threat to the public because they have a changed attitude and/or behavior after being incarcerated, whereas MSOP directly states “to promote public safety” so no deciphering is needed.

MnDOC has a public website that is readily accessible and can easily be navigated to find many useful pieces of information for the public to educate themselves about the MnDOC prior to a notification meeting. For example, there are a number of links, forms, documents, research papers, fact sheets, visiting information, statistics, directories, frequently asked questions applicable for various areas, working for the MnDOC, and information and an overview about each MnDOC prison, among other things.

Based on review of the MnDHS public website during this research, there used to be little information available to the public to educate themselves about MSOP prior to a



notification meeting happening. For example, MSOP is a division of the MnDHS in which information about MSOP can be found on the MnDHS website, however, this information is limited. Information that is available on the MnDHS website about MSOP includes a brief overview of sex offender treatment noting the two MSOP locations. Also included are fact sheets, visiting information, statistics (offender demographics), frequently asked questions, state laws, web resources, and contact information. It should be noted a number of these links and forms were added to the website in February 2018. During the process of this research forms and links were added to the website, including much of what is listed above, that were not there before.

Institutional theory can be applied to address these research questions and the mission statement of each department. Institutional theory seeks to explain how institutions, or organizations, are identified within culture and how such institutions respond to the issues of social concern. This theory is an ideal application to this study as MSOP and MnDOC are both state run institutions that provide a shared objective of conducting community notification meetings, however MSOP challenges the standards set by MnDOC in the ways in which community notification meetings are conducted. Each department identifies an issue of social concern, that being the necessity of holding a community notification meeting, but they responded differently. As will be seen, two areas where they differ are a) working with law enforcement agencies in setting up community notification meetings and b) their involvement in promoting public safety.

### **Similarities and Differences on Conducting Notification Meetings**

In Minnesota, law enforcement agencies are statutorily required to provide broad community notification to the public when level 3 sex offenders are released from incarceration or when any level of sex offender is released from MSOP. Both MnDOC and MSOP assist law enforcement in providing this type of broad notification by conducting community notification meetings but the extent of their involvement varies considerably. Some differences may be related to their varying histories of working on community notification meetings.

According to respondents interviewed, MnDOC has been assisting law enforcement in conducting community notification meetings for the past 30 years, following the implementation of Megan's Law in 1997. On average, they help conduct 60 notification meetings a year. MSOP has only been assisting law enforcement in conducting community notification meetings since 2012, amounting to less than 15 total notification meetings. In 2012, MN legislation passed a law stating all offenders releasing from MSOP are subject to community notification meetings, regardless of risk level. This is different from MnDOC, where only level 3 sex offenders are subject to broad notification. Even with only assisting in community notification meetings for the highest risk offenders, MnDOC still has much more experience in working on these notification meetings.

MnDOC and MSOP also have different titles for how they refer to individuals residing at their facility. MnDOC identifies incarcerated individuals as offenders whereas MSOP refers to its clientele as clients. It may be common to hear MnDOC

individuals referred to as inmates, but according to the MnDOC public website they are identified as offenders. MSOP identifies their clientele as clients because they are being provided with a service, that being sex offender treatment. Even though both facilities house individuals with similar convictions, they address them with different titles.

The first community notification meeting MSOP assisted with was done in 2012 with the help of MnDOC. According to those interviewed, MSOP met with MnDOC prior to the first MSOP community notification meeting occurring, and were provided with the structure and information MnDOC presents during community notification meetings. During the beginning stages of MSOP conducting notification meetings, MSOP and MnDOC would meet with law enforcement to determine how the meeting would be conducted and what would be presented. Initially, MSOP community notification meetings were very similar to MnDOC community notification meetings. MnDOC provided guidance to MSOP and eventually MSOP determined what they felt was necessary information to present during a meeting, and have since dropped off from what MnDOC does at meetings and does not request help from MnDOC.

The ECRC from each state department [MnDOC and MnDHS] provides information to law enforcement regarding an individual being released, as required by statute. This information is presented to the law enforcement agency responsible for the charge resulting in confinement and the law enforcement agency where the offender will be residing upon release. Both MnDOC and MSOP independently also notify law enforcement about when an offender releasing from their custody is going to be moving to that local jurisdiction.

One difference in presenting information to law enforcement is when MSOP sends offender information to local jurisdictions they have decided to include slightly more information than what is obligated by statute. Because clients at MSOP are receiving treatment services, their information is confidential and limited, but a MSOP client will sign a release of information so the department can share more information with the community about the client. This appears to be done as a form of outreach to the community from both MSOP and the offender themselves, perhaps in the spirit of transparency and disclosure.

Another notable difference between the two agencies is the criteria of establishing a date for when to notify law enforcement of the offender moving to the area. A small form of control is present during this step, as MSOP will only release that information to law enforcement 14 days prior to an offender moving to that jurisdiction, no more, no less. This is most likely because statute states law enforcement must put forth a good faith effort to provide community notification within 14 days of receiving information that an offender will be moving to that area. This controlled release of information by MSOP is due to potential backlash of the offender moving to that location, a predicament MSOP has faced in the past and resulted in residency restrictions and the offender(s) not being able to move to that area.

While this same backlash could occur with MnDOC releases, this agency notifies law enforcement of an offender moving to the area as soon as there is a confirmed address for where the offender will live. While this may appear as a minor difference, it

has larger implications and is also tied to an apparent philosophical difference between the two agencies.

As previously noted, under the direction of the Minnesota Board of Peace Officer Standards and Training, law enforcement representatives met in 1996 and developed a model policy on how to conduct community notification of level 3 sex offenders moving into a community. MnDOC has been following the components identified as important to community notification in this model policy since, most importantly by providing consistency and accuracy in the delivery of information during notification meetings. Because of this, the presentation MnDOC provides at all notification meetings is very consistent, with the only difference being information about a specific offender and statistics for level 3 offenders surrounding or living in that community.

As stated by those interviewed, information MSOP presents differs with each meeting. They adjust and alter each presentation depending on what city or even what type of establishment the meeting is being held. Representatives of MSOP expanded this point by communicating that in one city law enforcement was able to let them know that the meeting will be well intended but that people will most likely be very upset because it is a small community and it will not be well received that they will be releasing a sex offender to that area. For this reason, MSOP's presentation was altered to adhere to this possible resentment as compared to one MSOP conducted that was in a larger community that was met with less resistance and even had less attendance. Clearly, MSOP presents on information they selectively determined most appropriate for the local community.

Another similarity between the two agencies is the goal of a notification meeting. As described by MnDOC respondents, the goal of a community notification meeting is to educate the community about sex offenders by dispelling myths and misconceptions, while also encouraging public safety. As such, MnDOC provides relevant and factual information to the community in the interest of public safety. The most relevant theme identified in the MnDOC community notification meeting process is that of education and public safety. MSOP also identified public education as an important factor in notification meetings, but takes a slightly different approach. MSOP believes the goal of a notification meeting is to educate and alleviate fear or misunderstanding, a seemingly similar goal to that of MnDOC, however it is different. The goal of education from MSOP's standpoint is to educate the community on what an average treated sex offender looks like and what that means while also educating the community on what MSOP is.

Another notable difference is MnDOC is not only willing to assist law enforcement in conducting a notification meeting, but they encourage it. MSOP, however, will make no recommendation to law enforcement about having a notification meeting, and in fact remain completely impartial at this point. Another difference is MnDOC will recommend broad participation of public services, such as victim service organizations, which encourages the overall general safety of the community and its members. MSOP does not recommend any additional services present at the notification meeting. MnDOC has chosen to recommend these outside resources in relation to the model policy that was developed and using notification meetings as an open forum for public communication, another opportunity for education. This in a sense allows

community members the opportunity to be part of a MnDOC notification meeting by being able to ask questions and receive reliable answers and information, making the overall process more thoughtful and geared toward comprehension and community involvement.

This process appears to make the most sense for MnDOC because they are well versed in holding community notification meetings with various law enforcement agencies, whereas some law enforcement agencies have never held a meeting or have done very few, and need the guidance and expertise of MnDOC. A small form of informal power held by MnDOC can be identified here, but it seems to be one that has been practiced over a long period of time and appears to be supported by law enforcement. This informal power also allows MnDOC to accomplish their goal of education and public safety, the most identifiable factors in a MnDOC notification meeting. MSOP on the other hand, has chosen to take a different approach and not provide any recommendation to law enforcement, perhaps due to the potential backlash due to their specific clientele they have experienced in the past when assisting with notification meetings.

The layout and presentation of the meeting is different for each state agency as well. A MnDOC staff who is part of the Risk Assessment/Community Notification Department will present on behalf of the MnDOC at a MnDOC assisted notification meeting. Having someone from the Risk Assessment / Community Notification department conduct the meeting, allows separation from the offender and the facility they are releasing from. Designated staff from the Risk Assessment / Community Notification

Department have no direct relationship and no connection with the offenders releasing from a MnDOC prison. The Risk Assessment/Community Notification staff will help law enforcement at the end of the meeting to field questions by community members, delegating appropriate personnel for response. This is drastically different from MSOP.

The MSOP Executive Director is the person who presents on behalf of MSOP during a MSOP assisted notification meeting. The Executive Director presents all the information and fields most, if not all, the questions at the end of the meeting. The reasoning behind this is due to the high profile nature of the MSOP clientele and the potential political ramifications that could ensue following the meeting. This is perhaps the most present and apparent form of control during the MSOP notification process. By having the MSOP Executive Director present information and field questions from the community, the agency is able to control what is said, what information is released, and what questions are answered.

In summary, another similarity between the two agencies is the goal of a notification meeting. As described by MnDOC respondents, the goal of a community notification meeting is to educate the community about sex offenders by dispelling myths and misconceptions, while also encouraging public safety. By doing this, MnDOC can provide relevant and factual information to the community in the interest of public safety. The most relevant theme identified in the MnDOC community notification meeting process is that of education and public safety. MSOP also identified public education as an important factor in notification meetings, but takes a slightly different approach to expressing public safety as a factor. MSOP believes the goal of a notification meeting is



to educate and alleviate fear or misunderstanding, a seemingly similar goal to that of MnDOC, however it is different. The goal of education from MSOP's standpoint is to educate the community on what a treated sex offender looks like and what that means while also educating the community on what MSOP is.

In order to accomplish the goal of education and public safety, MnDOC presents on specific criteria, which once again, is uniform for each notification meeting held by MnDOC. The presentation can include information about the ECRC, what that means and how it is related to the offender and their risk level, as the ECRC assigns risk levels to sex offenders. MnDOC will also discuss sex offender statistics for the area and compare it to the overall sex offender population for the state. A brief background on the offender moving to the area is also presented, including convictions and a physical description of the offender. The offender's address is not provided during the meeting so as to ensure potential retaliation against the offender by community members. Victim services presents on protective factors and what community members should be discussing with their families to help prevent against future sexual assaults and to identify possible present abusers or what to look for if they think someone is being sexually abused. The meeting is concluded with a question and answer session, with each resource present available to answer questions.

MSOP community notification presentations are different from MnDOC. MSOP is choosing to use notification meeting as a means of educating the community on what MSOP entails; civil commitment, sex offenders, and treatment. This is a more structured form of control executed by MSOP during the meetings. This approach obviously

counters that of MnDOC, but seemingly presents a significant opportunity for MSOP to inform community members about the agency and the clientele it supports. There is brief mention of what civil commitment entails, but that is not focused heavily on as it was shown people were not as interested in that information. Like MnDOC, MSOP discusses some sex offender statistics and also gives the physical description and conviction history of the offender moving to the area. Unlike MnDOC, there is no additional resources recommended to participate in the meeting, so MSOP is the only presenter. MSOP also will not release the address the offender will be residing at as to prevent possible retaliation from community members. Similar to MnDOC, the meeting concludes with a question and answer session, however, the MSOP Executive Director presenting the meeting will field almost all questions, unless specifically directed at law enforcement.

### **What Factors Explain These Differences**

There is an apparent emphasis by MSOP to restrict their involvement in community notification meetings by providing no recommendation to law enforcement about holding a meeting and why it is important. MSOP then maintains more control over their actual involvement in meetings by having the MSOP Executive Director presenting at a notification meeting, thereby controlling what information is presented and what topics are discussed. In contrast, MnDOC always encourages law enforcement to have a community notification meeting, provides the same presentation at each notification meeting regarding public safety, and encourages participation of victim services, all to discuss protective factors and increase community safety.

Institutional theory shows how both MnDOC and MSOP are homogenous institutions and respond similarly to a social issue of community notification meetings. This research shows while these two institutions may be homogenous in their organizational structure, their approaches for conducting community notification meetings vary considerably. Both MnDOC and MSOP have social legitimacy in Minnesota, meaning the public has identified them as being important to the culture. This is an important application to institutional theory, as institutions must have social legitimacy in order to respond to issues of social concern. MnDOC and MSOP are both responding to the issue of conducting community notification meetings, however they are doing so in different ways. Institutional theory would suggest these two institutions are effective in conducting community notification meetings because each one has social legitimacy. An important point in institutional theory is the ability to argue institutions are homogenous, which is what institutional theory thrives on, but to not only recognize their homogeneity but address the heterogeneity in organizational structure. MSOP does this by challenging the way in which a notification meeting is presented verses what MnDOC does and has been doing for years.

As presented in the analysis, this researcher found differences in how MnDOC and MSOP conduct community notification meetings. The most apparent factor that seems to be the reason to explain these differences is how information is provided to the public by MnDOC verses MSOP. A possible explanation for this difference is related to control. Both MnDOC and MSOP execute control in community notification meetings;

they determine the outline for the meeting, what is said during the meeting, what type of information is released, and who presents.

MnDOC executes a form of control in assisting with conducting community notification meetings by suggesting to law enforcement agencies how a meeting should run and who should be invited to present. Because MnDOC has been assisting with notification meetings for over 30 years, this form of control has essentially been grandfathered in. MnDOC has the experience, knowledge, and expertise about what a community notification meeting should look like and based on experience what outcomes are possible if their general criteria are not followed. MnDOC staff interviewed believe this approach has been successful. MnDOC's approach to control is implemented by being transparent and going beyond the boundaries of the legal requirements with the goal of enhancing public safety.

The MnDHS website now includes documents and an overview of information about MSOP and what it entails. If a person then wishes to educate themselves on what MSOP is, they have some helpful, useful information and documents to reference, however, this information is still limited, or controlled. In comparison, MnDOC has a much larger amount of information on their public website that is easily accessible to the public for reference. MSOP also controls what information is given at a notification meeting by having the Executive Director conduct the meeting. MSOP is then able to control what information they want the public to know and hear about. As such, MSOP is less transparent and more restrictive of the information they release, and more

restrictive of their involvement in community notification meetings. They appear to be using control to reduce the amount of criticisms of their organization.

For example, one noticeably absent informational piece on the MnDHS website is the mission statement of MSOP. The researcher was unable to find the MSOP mission statement on the MnDHS website and was only able to acquire that statement after reaching out to the contact email provided on the website. The email respondent also noted they were unable to find the mission statement on the website and hence provided it to the researcher; “To promote public safety by providing comprehensive treatment and reintegration opportunities for civilly committed sex offenders.” This seems like a large piece of material to not have readily accessible on the website. The mission statement, vision, and values for the MnDHS can be found on the website. The mission statement, vision, values, and goals for the MnDOC can be found on their website. What seems like another form of control is that none of these topics are visible on the MnDHS website in reference to MSOP. Despite providing more helpful documents for viewing on the website, MSOP failed to provide what could be considered a simple sentence to describe what the organization strives for and represents.

MnDOC provides a link on its website to view all public policies for the MnDOC. MSOP, however, lacks policies available for viewing on the MnDHS website, yet another form of control. As MSOP is a collaborative of the State of Minnesota, many of its policies and procedures are public information, yet this information is not readily available for public access. During the course of this research, there used to be a link on the MnDHS website that included “frequently requested policies” for MSOP, however,

this link has been removed. When this link was available, the researcher had contacted the email referenced on the website inquiring if there is a way of looking at MSOP policies available to the public on the website but was informed other than the website having “frequently requested policies” as aforementioned, MSOP does not have a publically accessible website that contains all public MSOP policies. If a person would like to review or get copies of MSOP’s public policies they are to submit a data request to the records department at MSOP in Moose Lake, however a person would only know this by utilizing the contact us email and asking how to see policies. Once again, there is no longer even an option to view frequently requested policies. Perhaps this is due to the high profile nature of the program and its clientele; MSOP is choosing to withhold this information as easily accessible, once again showing control over what information is presented to the public.

The accessibility of information MnDOC provides to the public shows how MnDOC is more open to exposing information about the department than MSOP. MSOP controls what information is available to the public and limits that access. Because MnDOC is more transparent in this manner, they are interested in promoting public safety and community education to dispel myths and rumors about sex offenders during community notification meetings. The public already has a general understanding of what MnDOC is, and if they want to educate themselves there are many links, documents, and forms available online to so. MSOP limits what is available online to the public and also controls what information is discussed during notification meetings. Because the MSOP Executive Director directs notification meetings, MSOP is able to

control what information is being presented and educates the community on what they believe is important information to have and understand about MSOP.

Despite the differences in access to information on the public websites between the two agencies, the mission statement for each agency is inconsistent with their identified goal of a community notification meeting. The MnDOC mission statement is to, “Reduce recidivism by promoting offender change through proven strategies during safe and secure incarceration and effective community supervision”. This mission statement focuses on the offender and how MnDOC uses evidence based practices (proven strategies) to help the offender (promoting offender change) not recidivate (reduce recidivism) while incarcerated and upon release (during safe and secure incarceration and effective community supervision). This is particularly interesting, because while one could derive the MnDOC is encouraging public safety by doing all of these things, it is not stated so in the mission statement. This is notable because the goal of a community notification meeting as stated by MnDOC interviewees, is public safety, yet the MnDOC mission statement doesn’t mention public safety. This is an inconsistency. This mission statement also centers on the offender by specifically addressing civilly committed sex offenders receiving comprehensive treatment and reintegration opportunities. However, it also states to promote public safety which is not the goal of a MSOP community notification meeting, but educating the public about MSOP is.

## **Conclusion**

This study consisted of interviews conducted with staff from MnDOC and MSOP who are connected with the community notification meeting process for that department. This research was designed to determine if MnDOC and MSOP processes and procedures for conducting community notification meetings are different and if so, what factors could explain said differences. Institutional theory was applied to this research as it can help explain why how organizations [in this case state departments MnDOC and MSOP] defined within a community responds to an issue of social concern [in this case is community notification meetings]. This research is important as it has shown the variety in processes and procedures both MnDOC and MSOP utilize in assisting law enforcement conduct community notification meetings. Both MnDOC and MSOP are executing the meeting in ways determined appropriate and relevant to that department.

## **Analysis Review**

MnDOC and MSOP both have websites available to the public but do not provide the same information. MnDOC provides its vision, mission, values, and goals, along with a link to public policies. MSOP does not provide any information about goals, values, vision or a mission statement, nor does it have a link for viewing public policies.

MnDOC has been assisting law enforcement in conducting community notification meetings for the past 30 years, averaging 60 meetings a year. MSOP has been assisting law enforcement in conducting community notification meetings since



2012, when the first offender was released to the community, still under MSOP supervision. MSOP has assisted law enforcement in conducting less than 15 community notification meetings. MnDOC reaches out to a law enforcement jurisdiction where an offender will be releasing to from prison, inquiring if a community notification meeting will be held, while strongly suggesting one be held if law enforcement is unsure at the time of contact. MSOP will reach out to law enforcement to see if they will be conducting a notification meeting, but will not provide any sort of recommendation to law enforcement about whether or not to hold a notification meeting. MnDOC will always offer help and guidance to a law enforcement jurisdiction who seek to conduct a community notification meeting, while also strongly suggesting the agency allow MnDOC to assist in conducting the meeting as they provide expertise in the area. MSOP will only offer help and guidance to law enforcement agencies after a local jurisdiction requests assistance in conducting a notification meeting.

MnDOC and MSOP both assist law enforcement in conducting community notification meetings, however the steps followed to set up the meeting and the layout of the meeting vary between the two departments.

Because MnDOC has assisted in so many notification meetings throughout the years, they have substantial knowledge and expertise in how to conduct such meetings, which can be very beneficial to law enforcement agencies who have never or rarely ever hold notification meetings. MnDOC will always encourage victim services to present at a meeting, as they believe educating the community on protective factors and overall safety of the community and its members is a key goal in holding meetings. MSOP will

provide law enforcement with past practices if they choose to conduct a notification meeting but they will not encourage law enforcement to invite any other resources to present at the notification meeting, nor do they want other resources to present at the meeting. MnDOC staff from the Community Notification / Risk Assessment Department are the ones who present at notification meetings, most often along with victim service organizations, and facilitate questions at the end of the meeting, directing appropriate personnel to respond. The MSOP Executive Director is the one who presents at MSOP assisted notification meetings and fields almost all questions.

MnDOC has found being transparent about an offender moving to the area is best practice against possible backlash about the community not knowing about an offender moving to the area, which is also why they provide similar meetings for each jurisdiction and each meeting, only changing offender information and demographics for that area. MSOP will adjust each notification meeting to adhere to each offender and the type of jurisdiction an offender will be going to, such as rural or urban, making each meeting slightly different from the one before.

MnDOC is required to release offenders on a certain date, sometimes regardless if a living location has been secured or not. MSOP will not release an offender to the community until housing has been confirmed and secured. MSOP is also quick to differentiate themselves from MnDOC, reiterating the importance of those offenders releasing from MSOP as ones who have received intense sex offender treatment and have been determined by the courts, not MSOP, to be released to the community.

Both MnDOC and MSOP believe education is a top goal in conducting community notification meetings, however, the subject of education is different for each department. The education goal of a MnDOC community notification meeting is to provide community members with information on protective factors, such as what to look for as warning signs to identify potential abusers, and dispelling myths about sex offenders. MSOP identifies education at a notification meeting as informing the community about what MSOP entails and the clientele it provides services to. The most affluent factor in conducting notification meetings by both MnDOC and MSOP is a sense of control. Law enforcement is statutorily required to provide the community notification, yet both MnDOC and MSOP guide how a meeting is actually conducted. This allows each department a form of control over the meeting. For example, MnDOC offers suggestion on who to invite and what steps to follow to execute a meeting, because they have assisted in conducting numerous meetings for many years so they can provide influential direction. The MSOP Executive Director is the person who facilitates the entire notification meeting assisted by MSOP, thereby controlling what is said about MSOP and what questions are answered.

This researcher believes there are differences in community notification meetings between the two state departments because each facility, MnDOC and MSOP, have different goals in mind. MnDOC is more commonly known to the public as a department that houses convicted criminal offenders in prisons throughout the state. Because of this, MnDOC wants to focus their community notification meetings on public safety and what the community can do to help prevent future abuse or identify current abusers. MSOP is

less recognizable, but is gaining awareness. MSOP has addressed this by providing significantly more documents and information to the public on the MnDHS website allowing the public to develop a general understanding and overview of the agency and the clientele it serves. MSOP is also using community notification meetings as a grounds for educating the community on what MSOP entails and what the offenders releasing from there have gone through to get to the point where they can be released to the community.

### **Limitations of Research**

There are several limitations of this study. Not all individuals who were sought out to participate in this research did. This limited some of the findings, as one important MSOP staff involved with community notification meetings was unable to be interviewed due to scheduling, despite multiple attempts. The Community Notification Coordinator for the Minneapolis police department was contacted to participate in this research as a resource outside of MnDOC and MSOP that also conducts notification meetings, however no response was provided. This contact could have provided comparative analysis of how a police department conducts notification meetings verses how departments assisting with notification meetings complete this process. A law enforcement agent who has conducted community notification meetings with both MnDOC and MSOP was also contacted for an interview, but declined to participate as that law enforcement agency's city is currently involved in a law suit with one of the departments being researched. An interview with law enforcement would provide

supplemental information on how law enforcement could address providing notification meetings with the assistance of either MnDOC or MSOP.

However, a strength of this study is that interviews completed were done so with key informative staff who almost all play a pertinent role in the community notification meeting process. This allowed the researcher to gather information from all areas of the process, from beginning to end, about how MnDOC and MSOP provide assistance in conducting notification meetings. Another strength of this research is that it is a new topic to be studied. This researcher found no studies analyzing the State of Minnesota's two departments that assist in community notification meetings and the ways in which those meetings are conducted by each departments. This is new, informative information for the field of criminal justice and the State of Minnesota.

It should be noted, these findings must be analyzed in the context of one state, Minnesota, and the findings may not be generalizable to other states.

### **Policy Recommendations**

As previously discussed, MSOP does not provide its mission statement, nor values or goals, on the MnDHS website where all other MSOP information is located. A recommendation of making these statements and topics easily accessible and viewable could be beneficial to the public who are searching for information about MSOP. A mission statement provides a formal summary, often in one sentence, about what an organization aims for and values, allowing an individual simple comprehension of what the organization is about. By providing this information, community members are

provided with a simple understanding of what MSOP is and can compare that mission statement to MnDOC to help understand the main differences between the two; safe and secure incarceration and community supervision by the MnDOC versus MSOP providing comprehensive treatment and reintegration opportunities for sex offenders. A subsequent recommendation would then be to provide these websites at community notification meetings.

As previously noted, MSOP has made recognizable advancements in providing information to the public about the program on the MnDHS website. However, when navigating the website in hopes of finding information apparent to MSOP, the researcher viewed documents that were eight years old which seemed irrelevant to the present time. During the course of this research, many of the documents now located on the MnDHS website under sex offender treatment were added but some seem irrelevant as to the present day, such as annual performance reports from 2011 to 2014, but nothing past 2014.

Noting the program is furnished by the State of Minnesota, providing access to MSOP public policies could be beneficial in providing education to the public about MSOP. Many of MSOP's policies replica that of MnDOC policies (MnDOC policies are available online at the MnDOC website) so the content would not be questionable. MSOP does seem to want to distance themselves from MnDOC though, for example; MSOP will reiterate to the public during notification meetings that the program is not a corrections program but in fact a treatment program. With this, perhaps providing 'frequently requested policies', or even policies that help show how MSOP focuses on

sex offender treatment and the individual, on the website again would provide the public with not only more information but perhaps a sense of comfort and transparency as the program is not trying to hide things from the public but instead showing the desire to inform and educate.

As previously discussed, in 1996 Minnesota law enforcement representatives got together to develop a model policy on community notification, this of course following federal law requirements on notification, also known as Megan's Law. Perhaps this model policy that was developed should be revisited with a more diverse group of representatives. Since MnDOC and MSOP both play a rather significant role in the notification meeting, perhaps law enforcement, MnDOC, MSOP, sex offender treatment therapists or psychologists (such as those present on the End of Confinement Review Committee), and representatives from victim service organizations could all come together and review the model policy. There is little research that has been conducted on community notification meetings, but what has been done shows that meetings are often used as a grounds for informing the public on protective factors and how to recognize potential threats to public safety. Since MnDOC and MSOP are both assisting in conducting community notification meetings, and will presumably continue to do so in the future, revisiting the model policy on what a notification meeting should entail would be beneficial. Both MnDOC and MSOP have a vested interest in notification meetings and play a large role in the execution of those meetings, as presented by this research. Gathering diverse personnel of various organizations pertinent in the community notification process to perhaps amend the model policy on community notification will

not only benefit Minnesota, but the criminal justice field itself in providing groundwork for future research and practices. Minnesota is already a leader in creating and utilizing evidence based practices, by re-envisioning what community notification should entail (based on research and professionals in the field) it will continue to help recognize Minnesota as a prominent state in developing evidence based practices.

### **Future Research**

Research into law enforcement's role in community notification meetings would be beneficial to the field. As law enforcement is the one statutorily responsible to provide community notification, the determining factors behind what makes a law enforcement jurisdiction decide whether or not to hold a meeting would be informational. Assessing law enforcement agencies assessment of the varying involvement of MSOP and MnDOC would be beneficial in the topic of this research endeavor.

In addition to this, research into what factors would coincide if law enforcement would request the help of either MnDOC or MSOP in conducting a notification meeting and why or why not would also be very valuable. This could include law enforcement's assessment of the liability, dependability, and help these agencies provide in conducting community notification meetings.

It must be remembered that the current research only focuses on agencies and processes within the State of Minnesota. Future research should investigate this topic in other states to gain even greater insight into what would be optimal procedures.



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## Appendix A – Letter for Participation

Greetings,

My name is Justina Bakker and I am a graduate student at Minnesota State University, Mankato, where I am conducting research on community notification meetings for sex offenders. Specifically, the purpose of this study is to analyze similarities and differences in how the Minnesota Sex Offender Program in Human Services and the Department of Corrections organize community notification meetings prior to the release of sex offenders. My supervising professor is Dr. Barbara Carson, Department of Sociology and Corrections, MSU Mankato. I am contacting you to request your participation in this research as you have been identified on your agency's public website as an individual who plays a role in the notification process.

If you choose to participate, you would be asked to partake in an interview lasting no longer than one hour and will be conducted at your leisure. In the interview I will ask about the community notification process in your specific department and any involvement you may have in the process. I will take notes on your responses, but I will not write down your name or specific job title in these notes. In my subsequent analysis and writings, I will only refer to information as to whether it came from someone employed in the DOC or MSOP. Your name or specific job title will not be shared with anyone besides myself and Dr. Carson. If you agree to be interviewed, you may refuse to answer any specific question and you may stop the interview at any time. The benefit of this research is that information and insight may be useful to both agencies in understanding perceived benefits of the differences in how community notification meetings are organized. We believe that the risks of participating in this interview are no greater than experienced in very day life.

Please respond within 7 days of your acceptance or denial as a participant in the research. If you have any questions, you can either call me directly or send them via email. If you agree to be interviewed I will send you an informed consent form that must be signed and we will proceed to set up a date and time for the interview.

Thank you very much and I look forward to hearing from you soon!

Sincerely,

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## Appendix B – Interview Questions

1. What is your role in the operation of community notification meetings for the release of sex offenders?
  - a. What is your specific job title?
  - b. How are you involved in these meetings?
2. Who determines if a community meeting is necessary?
  - a. What is the criteria for conducting such a meeting?
  - b. How is the date for release and the date for the meeting determined?
3. Who coordinates the logistics of the meeting? Specifically:
  - a. What organizations participate in the presentation?
  - b. Who secures the location of the meeting?
  - c. Who advertises the meeting?
  - d. Who is specifically invited, like victims' organizations or media?
  - d. Who facilitates the meeting?
  - e. How long do they typically last? Is there a cut-off time?
  - f. Is there a debriefing or review of the meeting afterwards? Who conducts this?
4. What information is presented at the meetings?
  - a. Who presents what information?
  - b. Who decides who presents what information?
5. Are outside resources utilized?
  - a. If so, why are these resources used?
  - b. If not, should there be outside resources used and what or who should be used
6. Are there agency specific guidelines for setting up the meeting?
  - a. Who determines these guidelines?
  - b. If more than one person is involved in creating the guidelines, who is all part of the process in creating guidelines?
  - c. Are these guidelines adhered to?

7. Are there costs associated with holding a meeting?
  - a. If so, who pays for this?
  
8. What is the goal of a notification meeting?
  - a. Do you think this goal(s) is important? Why?
  - b. How does the overall process contribute to this goal?
  - c. Do you believe this goal is met?
  
9. Do you know if any other agency conducts community notification meetings?
  - a. If so, are you familiar with their practices?
    - i. Are there similarities?
    - ii. Are there differences?
    - iii. If there are differences, why do you think they differ?
    - iv. If there are differences, do you think it's appropriate to differ?
  
10. What does an ideal community notification meeting look like to you?
  - a. Is there anything missing from the current notification process you think is relevant for an ideal meeting?