

# MSOP DEPARTURE

## Minnesota Sex Offender Program

**Issue Date:** 4/7/15

**Effective Date:** 5/5/15

**Policy Number:** 230-5100

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**POLICY:** Once admitted to the Minnesota Sex Offender Program (MSOP), clients only depart or transfer from the program as authorized in state statute and consistent with this policy. Clients must follow Minn. Stat. §253B.18 to request transfer from a secure treatment facility, provisional discharge or discharge from civil commitment. The Admissions Coordinator ensures an MSOP Departure/Transfer Authorization form (230-5100a, attached) is completed and distributed prior to each client departure from the MSOP.

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

**APPLICABILITY:** Minnesota Sex Offender Program (MSOP), program-wide

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

**DEFINITIONS:**

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

Types of MSOP departures –

1. Program Transfer – the client has transferred to another agency and is temporarily removed from the MSOP facility count, but remains under Sexually Dangerous Person/Sexual Psychopathic Personality (SDP/SPP) commitment to MSOP.
  - a) New Criminal Sentence – a court sentences a client on a new criminal charge resulting in a transfer to the Department of Corrections (DOC), Federal Prison, or a detention facility.
  - b) Revocation –the Department of Corrections Hearings and Release Unit revokes a client from the MSOP to serve additional incarceration time for violating the client’s conditions of release. A transport order from the DOC is required.
  - c) Provisional Discharge – clients approved for provisional discharge are transferred off facility grounds no earlier than 15 days after the Supreme Court Appeals Panel issues its order.
  - d) Discharge to other Department of Human Services (DHS) programs (e.g., Forensic Nursing Home) – the MSOP Medical Director completes a Forensic Program Admission & Discharge Authorization (DHS-1170, attached) to request transfer of a client to another DHS program when the client has specialized needs and meets the criteria for placement at another DHS facility and sends it to the MSOP Deputy Director or designee for approval.
2. Program Departure –
  - a) Amended Judicial Hold – the court amends the client’s judicial hold order, placing the client in the care and custody of a local detention center or the Department of Corrections.

- b) Court Order Discharging from Civil Commitment – the court orders discharge of a client’s civil commitment.
- c) Court Order Dismissal –a court dismisses the petition for civil commitment or dismisses the hold order while the civil commitment is pending.

**PROCEDURES:**

A. Notification and verification of pending departure

MSOP staff forward all departure notices to the Admissions Coordinator or designee. The Admissions Coordinator or designee:

1. receives notice from a county court administration, county attorney’s office, the Attorney General’s Office, the MSOP Office of Special Investigations (MSOP-OSI) or any other MSOP staff by facsimile, telephone call, e-mail, or mail;
2. verifies all notices with the court or MSOP-OSI for accuracy;
3. requests:
  - a) a certified copy of all court orders;
  - b) the original transfer order; or
  - c) the warrant of commit to the Commissioner of Corrections for a new criminal sentence; and
4. signs, dates, and notes the name of the agency’s staff verifying the order or notification at the bottom of the order or warrant of commit.

B. Location of client

1. A client residing at MSOP may not physically depart the facility or grounds until all steps of this procedure are completed.
2. If the client is already at another agency’s facility, MSOP staff follow all other departure procedures, but the client is not required to return to the MSOP prior to formal departure.

C. Internal notifications

1. The Admissions Coordinator or designee:
  - a) calls:
    - 1) the Risk Assessment/Community Notification Unit (RA/CN);
    - 2) the supervising agent;
    - 3) the MSOP security program manager/designee; and
    - 4) the MSOP facility officer of the day (OD); and
  - b) e-mails:
    - 1) the MSOP Executive Director;
    - 2) the MSOP Deputy Director;

- 3) the MSOP Executive Clinical Director;
  - 4) the MSOP Reintegration Director (for departing Community Preparation Services (CPS) clients only);
  - 5) MSOP Moose Lake and St. Peter facility and clinical directors; and
  - 6) the RA/CN and the supervising agent supervisor as a follow-up notification; and
- c) enters the departure into Phoenix.

2. The officer of the day (OD) notifies Master Control and the count coordinator and e-mails the #DHS\_DL\_MSOP\_Admit\_Notifications group for Moose Lake clients and #DHS\_DL\_SP MSOP Depart Notifications for St. Peter clients.
3. The MSOP security program manager/designee notifies the clinical supervisor and the unit director.
4. The clinical supervisor notifies by telephone the client rights coordinator and the primary therapist.
5. The unit director:
  - a) notifies the unit staff, Health Services staff, and Special Services;
  - b) discusses expectations of behavior with the client and gathers any safety concerns; and
  - c) forwards any safety concerns to the program manager/assistant director and security director.

D. The Admission Coordinator or designee:

1. coordinates the following among the Department of Corrections or county supervising agent, RA/CN, MSOP-OSI and/or a client rights coordinator or designee:
  - a) the release of the client to a designated agent or representative (must occur within 24 hours of verifying the order or as indicated in the court order);
  - b) transportation arrangements; and/or
  - c) placement of the client in a detention facility, community placement or facility;
2. notifies the OD and program manager or assistant director of:
  - a) the estimated date and time of departure;
  - b) placement information;
  - c) transportation information; and
  - d) legal status;
3. originates the Departure/Transfer Authorization form (230-5100a-1011, attached), ensuring all notifications and documents are complete, obtains signatures, and distributes copies of the form to the OD and Master Control; and

4. forwards court documents to the Health Information Management Services (HIMS), for filing and disposition of the record.
- E. A client rights coordinator (CRC) or designee meets with the client and:
1. assists the client with *gratis* calls to arrange transportation or housing if the client does not have an agent.
  2. completes the BCA-Change of Information Form with the client, signs as a witness, and faxes the form to the Bureau of Criminal Apprehension (BCA), giving a copy to the client and sending a copy to HIMS; the CRC enters the client's address into Phoenix; if the client is unavailable or refuses to complete and sign the BCA – Change of Information Form, the CRC completes the form as required by Minn. Stat. §246.13 subd. 4b and 243.166, indicating the client refused or was unavailable to sign, and follows the same process for distribution.
  3. asks the client to sign a release of information for the supervising agent and the RA/CN and forwards to HIMS for filing; if the client does not consent to release information, per Minn. Stat. §246.13 subd. 2b, staff may share the minimum necessary information with the supervising agent and the RA/CN;
  4. documents the release on the Data Disclosure Tracking Worksheet (500.192E, attached) and forwards it to HIMS; and
  5. contacts county agencies regarding the client's change of residence.
- F. MSOP-OSI:
1. transports a client to any local or county law enforcement center within Minnesota upon request from the MSOP facility director; or
  2. notifies local and county law enforcement if the client's placement area upon client departure if the client chooses not to be transported by MSOP-OSI and has no other means of transportation from the MSOP facility.
- G. The OD:
1. verifies collection and client possession of all items and documentation from Health Services, Property, Financial Services, Canteen and a client right's coordinator, and which items were given to the client upon departure;
  2. e-mails the appropriate facility group:
    - a) Moose Lake at #DHS\_DL\_MSOP Admit Notification group; or
    - b) St. Peter at #DHS\_DL\_SP MSOP Depart Notifications group;
  3. (Secure perimeter only) delivers the Departure/Transfer Authorization form to Master Control staff who:
    - a) verify the identity of the client leaving the sally port with the name and Client Identification number (Client ID#) on the Departure/Transfer Authorization form;
    - b) collect the client's MSOP ID badge; and
    - c) notify count control when the client is off the MSOP facility count; and

4. completes the Departure/Transfer Authorization form with actual departure date, time and client's signature and sends the form to the Admissions Coordinator.
- H. MSOP staff, as assigned, assist in packing the client's property, including any items at the staff station, and collecting the client's room key. (See MSOP Division Policy 420-5250, "Client Property" and MSOP Policy 602.300, "CPS Client Property.")
- I. The Health Services staff follow MSOP Policy 500.180, "Health Services Departure of Clients" and deliver the client's Health Services envelope to the OD.
- J. Special Services staff:
1. meet with the client to collect information regarding the disposition of the client's property per MSOP Division Policy 420-5250, "Client Property" and MSOP Policy 602.300, "CPS Client Property;"
  2. inventory and package the client's property; and
  3. bring the client's identification information to the OD.
- K. Financial Services staff:
1. collect and deposit client's scrip or money into the client's account;
  2. assist the client with completing a transfer authorization or check request to obtain his or her money and close the account after all transactions are complete;
  3. upon departure, provide the client with \$100 in cash from his or her client account, or all available funds if the total is less than \$100, and issue a check to the client for any remaining amount; and
  4. deliver a banking envelope with the client's finances to the OD and receive a forwarding address for the client for any excess funds due.
- L. The primary therapist completes the Departure/Transfer Summary Form (230-5100b-1010, attached) within seven days after the client's departure.
- M. Special Services staff forward the client's mail per MSOP Policy 302.030, "Client Mail" section B.4.
- N. A departing client may submit a request to MN.IT staff to copy the client's electronic files from his or her client network space and send the files to a designated address. The MSOP retains the data on a client's network space for 30 days following a client's departure.
- O. The HIMS staff:
1. forward information regarding:
    - a) duty to warn to the facility director per MSOP Policy 203.265, "Duty to Warn;" and
    - b) victim notification to the MSOP contact person per MSOP Policy 203.260, "Victim Notification;"
  2. send the Forensic Program Admission & Discharge Authorization and a copy of the client's record to the receiving DHS agency, if applicable;

3. complete and distribute a Change of Status form (DHS-1185, attached) and make the appropriate entry into Phoenix and AVATAR with the reason for the client's departure or transfer within 24 hours;
  4. verify the client's electronic record for accuracy; and
  5. complete all filing, review the record and update label with discharge information.
- P. Client departure or transfer occurs during business hours or is scheduled and coordinated prior to the end of the Admission Coordinator's or designee's shift. If staff receive notification of a potential departure or transfer after hours, the client must remain with MSOP until staff verify the order and coordinate with all areas.

**REVIEW:** Annually

**REFERENCES:** MSOP Policy 500.180, "Health Services Departure of Clients"  
 MSOP Policy 203.260, "Victim Notification"  
 MSOP Division Policy 420-5250, "Client Property"  
 MSOP Policy 602.300, "CPS Client Property"  
 MSOP Policy 301.084, "Administrative Restriction Status"  
 MSOP Policy 301.095, "OSI Transportation of Clients"  
 MSOP Policy 302.030, "Client Mail"  
 MSOP Policy 203.265, "Duty to Warn"  
 MSOP Policy 301.010, "Searches - Clients"  
 MSOP Policy 302.210, "Client Telephone Use"  
 MSOP Policy 105.600, "Client Computer Network"  
 MSOP Policy 603.300, "Voluntary Temporary Return to MSOP/Revocation of Provisional Discharge"

**ATTACHMENTS:** Departure/Transfer Authorization (230-5100a-1011)  
 Departure/Transfer Summary Form (230-5100b-1010)  
 Forensic Program Admission & Discharge Authorization (DHS-1170)  
 Change of Status Report (DHS-1185)  
 Data Disclosure Tracking Worksheet (500.192E)  
 BCA Change of Information form (external form)

**SUPERSESSSION:** MSOP Policy 205.100, "MSOP Departure," 9/3/13.  
 All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

/s/  
 Nancy A. Johnston, Executive Director  
 Minnesota Sex Offender Program