



Content Guide for Examiner's Report – Commitment Proceeding (SDP/SPP)

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I. Background Information:

1. Precipitating Events Leading to Commitment Petition

2. Information Sources

a) Records reviewed:

This examiner used the following sources of information to evaluate the Respondent:

- Static-99
- Static-99R
- Static-2002
- Minnesota Sex Offender Screening Tool – Revised (MnSOST-R)
- Rapid Risk Assessment for Sex Offender Recidivism (RRASOR)
- Violence Risk Appraisal Guide (VRAG)
- Sex Offender Risk Assessment Guide (SORAG)
- HARE Psychopathy Checklist – Revised (PCL-R)
- Sexual Violence Risk - 20 (SVR-20)
- Historical Clinical Risk - 20 (HCR-20)

b) Other Information Received by the Examiner

3. Relevant Background information

- Social History:
- Education History:
- Medical History:
- Psychiatric History:
- Chemical Dependency History:
- Behavior During Incarceration:
- Past Sex Offender Treatment History:
- Legal and Sex Offense History:
 - Adjudicated:*
 - Non-Adjudicated:*
- Pertinent Sex History:

4. Clinical Assessment

- a) Behavioral Observations
- b) Psychological Test Results
 - Multiphasic Sex Inventory II (MSI-II)
 - Minnesota Multiphasic Personality Inventory-2 (MMPI-2)
 - Millon Clinical Multiaxial Inventory - III (MCMI-III)

II. Diagnosis of Respondent's Mental Condition

1. Diagnostic Classification:

The following diagnoses are offered in accordance with criteria set forth in the *Diagnostic and Statistical Manual of Mental Disorders-Fourth Edition-Text Revision (DSM-IV-TR)*:

- Axis I:
- Axis II:
- Axis III:
- Axis IV:
- Axis V:

2. Does Respondent suffer from:

- A sexual disorder or sexual dysfunction, or
- A personality disorder
- Another mental disorder or dysfunction
- None of the above

Provide the facts that support your responses.

III. Disorder or Dysfunction Assessment

Minn. Stat. 253.02, Subd. 18c. Sexually Dangerous Person.

(a) A "sexually dangerous person" means a person who:

- (1) has engaged in a course of harmful sexual conduct as defined in subdivision 7a;
- (2) has manifested a sexual, personality, or other mental disorder or dysfunction; and
- (3) as a result, is likely to engage in acts of harmful sexual conduct as defined in subdivision 7a.

(b) For purposes of this provision, it is not necessary to prove that the person has an inability to control the person's sexual impulses.

Minn. Stat. 253B.02, subd. 7a defines "Harmful Sexual Conduct" to mean sexual conduct that creates a substantial likelihood of serious physical or emotional harm to another. A rebuttable presumption exists that conduct described in certain statutes creates a substantial likelihood that a victim will suffer serious physical or emotional harm.

1. Factual Basis for Determining if Respondent is a Sexually Dangerous Person as defined by Minnesota Statute 253B.02, subd. 18c.

Provide specific facts that illustrate if and how the Respondent is impaired regarding:

- a) The Issue of Harmful Sexual Conduct as defined in the Sexually Dangerous Person law under Minn. Stat. 253B.02, subd. 18c and subd. 7a
- b) Has respondent manifested a sexual, personality, or other mental disorder or dysfunction?
- c) Does that disorder or dysfunction currently not allow respondent to adequately control his sexual impulses?
- d) As a result, is this person highly likely to engage in future acts of harmful sexual conduct?

Minn. Stat. 253.02, Subd. 18b. Sexual Psychopathic Personality.

"Sexual psychopathic personality" means the existence in any person of such conditions of emotional instability, or impulsiveness of behavior, or lack of customary standards of good judgment, or failure to appreciate the consequences of personal acts, or a combination of any of these conditions, which render the person irresponsible for personal conduct with respect to sexual matters, if the person has evidenced, by a habitual course of misconduct in sexual

matters, an utter lack of power to control the person's sexual impulses and, as a result, is dangerous to other persons.

2. Factual Basis for Determining if Respondent is a Sexual Psychopathic Personality as defined by Minnesota Statute 253B.02, subd. 18b.

Provide specific facts that illustrate if and how the Respondent is impaired regarding:

- a) Is there existence of emotional instability regarding respondent?
Is there existence of impulsive behavior regarding respondent?
Does the respondent lack customary standards of good judgment?
Does the respondent fail to appreciate the consequences of his acts?
- b) Has Respondent engaged in a habitual course of misconduct with regard to sexual matters?
- c) Does respondent possess an utter lack of power to control his sexual impulses?

In your descriptions include:

Blodgett Factors

- Frequency of sexual assault:
- Degree of violence entailed:
- Relationship between offender and victim:
- Offender's attitude and mood:
- The perpetrator's medical and family history:
- Results of psychological testing and psychiatric testing and evaluation:

PirkI Factors

- Refusal of treatment opportunities:
- Lack of a relapse prevention plan:

Irwin Factors

- Lack of sex offender treatment:
- The individual believes he does not have a problem:
- There was no evidence to suggest that the offender demonstrated past attempts to control his harmful sexual behaviors:

Bieganowski Factors

- Grooming behaviors:
- Demonstrated failure to remove oneself from similar situations (e.g. lapse behavior and high risk situations):

Linehan Factors (applies to both SDP and SPP laws):

- Relevant Demographic Characteristics:
- History of Violent Behavior:
- Base rate statistics for violent behavior among individuals of respondent's background:
- Sources of stress in the environment:
- The similarity of the present or future context to those contexts in which the person has used violence in the past:
- Records with respect to sex therapy programs:

IV. Risk Assessment for Future Sexually Violent Behavior

- a) Psychopathic and Sexual Deviance
- b) Summary of "Historically Weighted" Sexual Recidivism Results
- c) Dynamic Considerations or Research-Based Adjustments to Actuarials

V. Commitment Assessment and Opinions

- a) In my opinion, Respondent meets the statutory criteria to be committed for the following:
 - A Sexually Dangerous Person defined by Minn. Stat. 253B.02, subd. 18c;

- A Sexually Psychopathic Personality defined by Minn. Stat. 253B.02, subd. 18b
- b) Other Recommendations

Respectfully submitted,

Signature: _____

Date of Report: _____

Print Name: _____

Title: _____

Addendum

The validity of the conclusions drawn from actuarial risk assessment instruments are subject to limitations in scientific procedures and the impossibility of making absolute predictions. Specifically, absolute degrees of recidivism risk cannot be directly inferred from these relative rankings.

Static-99

Static-99R

Static-2002

MnSOST-R

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VRAG

SORAG

PCL-R

SVR-20

HCR-20